APRIL 2014

Overview of the Annual Performance Report Development:

Background

In December 2005, the Nevada Department of Education (NDE) submitted a State Performance Plan (SPP) to the U.S. Office of Special Education Programs (OSEP) describing baseline data, six-year targets, and improvement activities for making improvements in 20 key areas over the next six years. The following 20 Performance Indicators were established by OSEP to ensure compliance with state and federal special education laws and to improve results for students with disabilities. The 20 Performance Indicators are designed to:

- (1) increase high-school graduation rates for students with disabilities earning regular diplomas;
- (2) decrease the dropout rate for students with disabilities;
- (3) ensure that all students participate in statewide assessments and improve the performance of students with disabilities in those assessments:
- (4) reduce suspension and expulsion rates when those rates significantly exceed statewide averages;
- (5) provide school-age students with disabilities ages 6-21 with services in the least restrictive environment;
- (6) provide preschool children with disabilities ages 3-5 with services in the least restrictive environment:
- (7) improve knowledge, skills, behavioral, and social-emotional outcomes for preschool children with disabilities:
- (8) improve parents' involvement in their children's special education programs;
- (9) eliminate disproportionate identification of students in race/ethnic groups as having a disability when it is the result of inappropriate identification;
- (10) eliminate disproportionate identification of students in race/ethnic groups as having a particular disability when it is the result of inappropriate identification;
- (11) improve efforts to evaluate students with disabilities in a timely manner;
- (12) ensure a smooth transition from infant/toddler programs to school-based programs for preschool children with disabilities at age three;
- (13) improve transition planning for students with disabilities at the secondary school level:
- (14) improve post-school outcomes for students with disabilities in the areas of post-secondary education/training and employment;
- (15) ensure that noncompliance with special education statutes and regulations is corrected within one year of identification;
- (16) ensure that complaint investigations are conducted by the NDE within required timelines;
- (17) ensure that due process hearings are conducted within required timelines;
- (18) promote resolution sessions as a mechanism for resolving disputes;
- (19) promote mediations as a mechanism for resolving disputes; and
- (20) ensure that timely and accurate data are reported from the NDE to OSEP.

Progress for Indicators 1, 2, 3, 4A, 4B, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19 is reported in this February 2014 Annual Performance Report (APR) for the 2012-2013 school year. OSEP now calculates Indicator 20 for states. The February 2014 APR and the February 2013 SPP should be read as companion documents. The SPP contains more complete descriptions of Nevada's systems for ensuring compliance with the Individuals with Disabilities Education Act (IDEA) and for improving results for Nevada's students with disabilities. These more complete descriptions of Nevada's special education systems provide the context for understanding the progress that is being made toward Nevada's goals.

Issues Identified in Nevada's July 2013 SPP/APR Response Table

In July 2013, OSEP sent correspondence to the NDE acknowledging the state's submission of its February 2013 SPP/APR for FFY 2011 (2011-2012). Attached to the correspondence was the "Nevada Part B FFY 2011 SPP/APR Response Table" addressing issues identified by OSEP that required additional information to be submitted in Nevada's February 2014 SPP/APR submission. The NDE has taken necessary steps to address the issues identified, and those steps are summarized below and within the section for each indicator, as applicable.

Indicator 1 (Graduation Rates): No specific action needed.

Indicator 2 (Dropout Rates): No specific action needed.

<u>Indicator 3 (Participation and Performance on Statewide Assessments):</u> No specific action needed.

<u>Indicator 4a (Suspension and Expulsion Rates):</u> No specific action needed.

Indicator 4b (Suspension and Expulsion Rates by Race or Ethnicity): No specific action needed.

Indicator 5 (LRE for Students Aged 6-21): No specific action needed.

<u>Indicator 6 (LRE for Students Aged 3-5):</u> No specific action needed.

<u>Indicator 7 (Early Childhood Outcomes):</u> As directed, the February 2014 APR includes progress data and actual target data for FFY 2012.

Indicator 8 (Parent Involvement): No specific action needed.

<u>Indicator 9 (Disproportionate Representation in Special Education that is the Result of Inappropriate Identification):</u> No specific action needed.

Indicator 10 (Disproportionate Representation in Specific Disability Categories that is the Result of Inappropriate Identification): No specific action needed.

Indicator 11 (Initial Evaluation Timeline): No specific action needed.

<u>Indicator 12 (Part C to Part B Transition—IEPs by Third Birthday):</u> No specific action needed.

Indicator 13 (Annual Goals and Transition Services): As directed, the February 2014 APR includes FFY 2012 data demonstrating correction of the noncompliance reported under this indicator in the FFY 2011 APR. As directed, the NDE has reported that it has verified that each LEA with noncompliance reported by the state under this indicator in the FFY 2011 APR: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the February 2014 APR for FFY 2012, the NDE has described the specific actions that were taken to verify the correction.

Indicator 14 (Post-School Outcomes): No specific action required.

Indicator 15 (Correction of Noncompliance in One Year): As directed, in its February 2014 APR the NDE has reported that it verified that each LEA with noncompliance identified in FFY 2011: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100%)

compliance) based on a review of updated data such as data subsequently collected through onsite monitoring or a state data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the February 2014 APR for FFY 2012, the NDE has described the specific actions that were taken to verify the correction.

The text of the Indicator 15 Worksheet is incorporated into the FFY 2012 APR, and it is attached as a separate worksheet (Attachment 1).

Correction of noncompliance reported in FFY 2011 for Indicator 13 is described in Indicator 15 and in Indicator 13.

<u>Indicator 16 (Complaint Timelines):</u> No specific action needed.

Indicator 17 (Due Process Hearing Timelines): No specific action needed.

Indicator 18 (Resolution Session Agreements): No specific action needed.

<u>Indicator 19 (Mediation Session Agreements):</u> No specific action needed.

Indicator 20 (Timely and Accurate Data): OSEP will use the Indicator 20 Rubric to calculate the state's data for this indicator. Nevada will have an opportunity to review and respond to OSEP's calculation of the state's data.

Improvement Activities/Timelines/Resources

The Improvement Activities have been reviewed and no significant revisions have been made. See Attachment 2 for the report of activities completed during FFY 2012 (2012-2013).

February 2014 SPP/APR Development

The NDE began data collection for the FFY 2012 APR with the collection of the special education child count data on October 1, 2012, including the disability category, age, grade, race/ethnic category, and placement category for each student with a disability ages 3 through 21. Data collection continued through the summer of 2013, with the annual collection of section 618 IDEA program data for 2012-2013 from local school districts, including suspension/expulsion data. During the fall of 2013, the NDE analyzed the survey data on parent involvement obtained from an outside vendor. Also during the fall of 2013, the NDE generated graduation and dropout data for FFY 2011 (2011-2012) according to the calculation established under the ESEA, disaggregated by IEP population. During the winter of 2013-2014, the NDE analyzed assessment data, including participation and performance data, and determined whether districts reached Annual Measurable Objectives (AMOs) targets for the disability subgroup.

The NDE participated in the data meetings held in conjunction with the OSEP Leadership Conference in summer 2013. The SPP and APR requirements were a central focus in these meetings. Throughout the late summer, fall and early winter, staff members from the NDE participated in technical assistance conference calls offered by OSEP, the Western Regional Resource Center (WRRC), and other OSEP-supported technical assistance centers in order to clarify our understanding of the requirements and strengthen the presentation of our data.

SPP and APR Dissemination

Final data analysis for each indicator to be reported in the FFY 2012 APR was completed in January 2014, and reported to OSEP on or before February 3, 2014. Following the submission to OSEP and an opportunity for clarification, if necessary, the SPP will be made available to the public on the NDE website at http://www.doe.nv.gov/SPED_Performance_Plans/ and the APR will be made available to the public on the NDE website at http://www.doe.nv.gov/SPED_State_Annual_Reports/. The final documents will be distributed to the media via press release and disseminated directly to an extensive list of interested parties, including a variety of agencies and organizations. Progress will also be reported whenever the NDE has an opportunity to meet with and address local and statewide organizations such as parent and

professional organizations, other state and local agencies, university and community college groups, and other community groups. Previous SPP and APR documents are located at the same website.

May 2014 Reporting of District-Level Performance Indicator Data

The progress of school districts toward the state targets will be disseminated directly to SEDA and Nevada's Special Education Advisory Committee (SEAC) and will be reported to the public by May 2014 on the NDE website at:

http://www.doe.nv.gov/NDE_Offices/Special_Education/Programs/Special_Education/Resources/SPED_Reports_State_Reports/.

District-level report cards for FFY 2011, issued in June 2013, are located at the same website at:

http://www.doe.nv.gov/NDE_Offices/Special_Education/Programs/Special_Education/Resources/Special_Education/Resources/Special_Education/Programs/Special_Education/Resource

Overview of the Annual Performance Report Development:

See description in the Introduction.

Monitoring Priority: FAPE in the LRE

Indicator 1: Percent of youth with IEPs graduating from high school with a regular diploma.

(20 U.S.C. 1416 (a)(3)(A))

Measurement: States must report using the adjusted cohort graduation rate calculation required under the ESEA.

FFY	Measurable and Rigorous Target
2012 (using 2011- 2012 data)	50% of Nevada's youth with IEPs will graduate from high school with a regular diploma.

Actual Target Data for FFY 2012 (data from 2011-2012):

OSEP has directed the NDE to describe the results of the NDE's examination of graduation data for the year before the reporting year to report progress in the FFY 2012 report (i.e., for the FFY 2012 APR reporting year, use data from FFY 2011-2012). Consequently, 2011-2012 data are presented below for this FFY 2012 report. During 2011-2012, 24.2% of Nevada's youth with IEPs graduated from high school with a regular diploma ([874 \div (4,204 - 599)] x 100 = 24.2%).

The NDE is required to report using the adjusted cohort graduation rate required under the ESEA. In addition, the NDE must use the same graduation target as the annual adjusted cohort graduation rate target established under Title I of the ESEA for all students.

Graduation Rate Calculation under the ESEA:

No difference exists between the conditions required of a youth with an IEP and a youth without to earn a regular diploma in Nevada. Nevada now uses an "adjusted cohort graduation rate" to calculate high school graduation rates for the total student population. In the formula, the number of cohort members who earned a regular high school diploma (standard, advanced, and adult diplomas) are divided by the number of first-time 9th graders in fall of a given year (starting cohort) including students who transfer in, minus students who transfer out, emigrate, or die during that school year and the next three school years, through the summer of the fourth year. This formula is expressed as:

of cohort members who earn a regular high school diploma
of first-time 9th graders (starting cohort) including students who transfer in,
minus students who transfer out, emigrate, or die during
that school year and the next three school years, through the summer of the fourth year

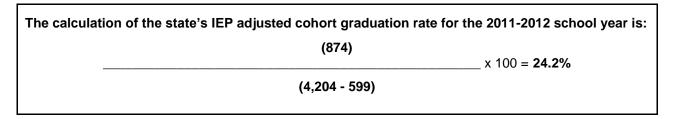
Regular diplomas include standard, advanced, and adult diplomas.

Graduation data for 2011-12 IEP students:

IEP students earning regular diplomas in 2011-2012 = 874

 9^{th} graders including students who transferred in during 2008-2009, 2009-2010, 2010-2011, and 2011-2012 through summer of 2012 = 4,204

IEP students who transferred out, emigrated, or died during 2008-2009, 2009-2010, 2010-2011, and 2011-2012 through summer of 2012 = **599**



Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2012:

Discussion of Improvement Activities Completed for FFY 2012:

See APR Attachment 2, Improvement Activities/Timelines/Resources, for a detailed listing of activities completed during 2012-2013 for the following activities:

- Strategic Priority 1: Standards and Assessments (p. 2) (in particular, tasks 9, 10)
- Strategic Priority 2: Valid and Reliable Data (p. 6) (in particular, tasks 2, 4, 33, 34, 35, 36, 37, 38)
- Strategic Priority 3: Comprehensive Educator Effectiveness System (p. 13)
- Strategic Priority 4: Innovative Programs and Evidence-Based Practices (p. 18) (in particular, task 20)

Explanation of Progress or Slippage that Occurred for FFY 2012 (data from 2011-2012):

The target established for FFY 2012 was 50%, and Nevada's graduation rate with a regular diploma was 24.2%. Because the actual graduation rate was lower than the target, Nevada did not reach its target.

The graduation rate for FFY 2011 (based on 2010-2011 data) was 23.5%, so there is slight progress to explain. The lower graduation rate is likely related to the first year implementation of the Common Core State Standards, including the fact that the CCSS is a more rigorous set of academic standards than the standards previously adopted by the state. During the first year, staff members were still learning how to implement the standards, curriculum was still under development, and the state has not yet aligned its assessment system to the CCSS. As will be seen in Indicator 3-C, even though 11th grade performance met the SPP targets, the percentage of students who were proficient at 11th grade was lower than in the previous year. Nevada remains committed to improving instruction and student performance at the secondary level so that more students with disabilities earn regular diplomas.

Revisions, <u>with Justification</u>, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013:

INDICATOR 2

Overview of the Annual Performance Report Development:

See description in the Introduction.

Monitoring Priority: FAPE in the LRE

Indicator 2: Percent of youth with IEPs dropping out of high school.

(20 U.S.C. 1416 (a)(3)(A))

Measurement:

OSEP has advised that States may continue to calculate their dropout rates using the same methods and calculations that were employed for the FFY 2011 APR. This will ensure continuity in States' data and eliminate the need to develop additional improvement activities and convene stakeholder groups to reset targets for improvement.

FFY	Measurable and Rigorous Target
2012 (using 2011- 2012 data)	5.6% of Nevada's youth with IEPs will drop out of high school.

NOTE: OSEP has advised that States may continue to calculate their dropout rates using the same methods and calculations that were employed for the FFY 2011 APR to ensure continuity in States' data and eliminate the need to develop additional improvement activities and convene stakeholder groups to reset targets for improvement.

Actual Target Data for FFY 2012 (data from 2011-2012):

OSEP has permitted the NDE to analyze dropout rates based upon the calculation employed by the state in the FFY 2011 APR. Using that calculation, the NDE examines dropout data for the year before the reporting year to report progress in the FFY 2012 report (i.e., for the FFY 2012 APR reporting year, use data from 2011-2012). Consequently, 2011-2012 data are presented below for this FFY 2012 report. During 2011-2012, 4.0 % of Nevada's youth with IEPs dropped out of high school ([514 \div (12,857 + 150)] x 100 = 4.0%). Because the dropout rate was lower than the target, Nevada met the target.

Dropout Rate Calculation:

The following formula defines how Nevada calculates a high school dropout rate. Total IEP Dropouts are determined through the student's withdrawal code and their program participation status. Total IEP Enrollment is the sum of students eligible for and receiving services under an IEP. Total IEP NonReturns are included in the Total IEP Dropouts and also added to the enrollment in the denominator as they are students expected to be in membership at the beginning of school (also known as summer dropouts).

n	а	given	vear.	the	formul	a is	express	ed as:

Total IEP Dropouts	
 -	x 100
Total IEP Enrollment + Total IEP NonReturns	

Withdrawal Codes that Qualify as a "Dropout" Withdrawal:

Dropouts are determined by the student's withdrawal code. The following reasons for withdrawal qualify as a dropout.

W3(a)i	Credit deficiency;
W3(a)ii	Pregnancy;
W3(a)iii	Marriage;
W3(a)iv	Employment;
W3(a)v	Student has long term medical condition, or in drug treatment or a rehabilitative setting that prevents them from receiving services (NRS 392.050);
W3(a)vi	Authorization by juvenile division for the district court pursuant to NRS 392.090;
W3(a)vii	Self-supported or parental support in accordance with NRS 392.100;
W3(a)viii	Apprenticeship in accordance with NRS 392.110;
W3(a)ix	Any other reason not specified in paragraphs 3(a)i through 3(a)viii, inclusive.
W3(b)	Student withdrawn because age exceeds age restrictions.
W3(c)i	Permanent expulsion;
W3(c)ii	Disciplinary or other eligibility reasons; or
W3(c)iii	Incarceration.
W3(d)i	Student withdrawn to GED program; or
W3(d)ii	Student withdrawn to adult vocational/technical program.
W3(e)i	Absence of the student for 10 consecutive days and whose whereabouts are unknown;
W3(e)ii	Absence of the student for the entire month with no expected date of return; or
W3(e)iii	Unexplained absence as set forth in NAC 387.220.
W3(g)	Attendance excused for distance residence from nearest school (NRS 392.080).

Dropout Data for 2011-2012 IEP students:

Total IEP Dropouts = **514**Total IEP Enrollment = **12,857**Total IEP NonReturns = **150**

The calculation of the state's IEP dropout rate for the 2011-2012 school year is:						
514	_ x 100 = 4.0%					
(12,857 + 150)						

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2012:

Discussion of Improvement Activities Completed for FFY 2012:

Because the state met its FFY 2012 target, the state is not required to discuss improvement activities for this indicator.

Explanation of Progress or Slippage that Occurred for FFY 2012 (data from 2011-2012):

Because the state met its FFY 2012 target, the state is not required to explain progress, unchanged data, or slippage for this indicator.

Revisions, <u>with Justification</u>, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013:

INDICATOR 3

Overview of the Annual Performance Report Development:

See description in the Introduction.

Monitoring Priority: FAPE in the LRE

Indicator 3: Participation and performance of children with disabilities on statewide assessments:

- A. Percent of the districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AMO targets for the disability subgroup.
- B. Participation rate for children with IEPs.
- C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

Measurement:

- A.1 AYP percent = [(# of districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup) divided by the (total # of districts that have a disability subgroup that meets the State's minimum "n" size)] times 100.
- A.2 AMO percent = [(# of districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AMO targets for the disability subgroup) divided by the (total # of districts that have a disability subgroup that meets the State's minimum "n" size)] times 100.
- B. Participation rate percent = [(# of children with IEPs participating in the assessment) divided by the (total # of children with IEPs enrolled during the testing window, calculated separately for reading and math)]. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.
- C. Proficiency rate percent = ([(# of children with IEPs enrolled for a full academic year scoring at or above proficient) divided by the (total # of children with IEPs enrolled for a full academic year, calculated separately for reading and math)].

INDICATOR 3A

FFY	Measurable and Rigorous Target
2012 (2012-2013)	87.5% of districts that have a disability subgroup that meets Nevada's minimum "n" size will meet Nevada's AMO targets for the disability subgroup.

INDICATOR 3B

FFY	Measurable and Rigorous Target
2012 (2012-2013)	95% of students with disabilities will participate in statewide assessments.

INDICATOR 3C

FFY	Measurable and Rigorous Target													
2012	Mathematics							Reading						
(2012-2013)	3rd	4th	5th	6th	7th	8th	11th	3rd	4th	5th	6th	7th	8th	11th
	46%	38%	38%	31%	24%	27.5%	24.5%	35.5%	33%	30.5%	27%	24%	25.5%	33%

Actual Target Data for FFY 2012:

A. <u>2012-2013 Data for Percent of Districts Meeting Nevada's AMO Targets for Disability Subgroup</u>

NOTE: As of 2012-2013, based on the ESEA waiver obtained by the state from the U.S. Department of Education, Nevada no longer calculates AYP at a district level. Consequently, for 2012-2013, the state has used a measurement for this indicator based on the number of districts that met the state's AMO targets for the disability subgroup, retaining the same 87.5% target for Indicator 3-A established in the February 2013 SPP. The AMO targets for the disability subgroup are the same targets as for all students.

Nevada has established ten (10) as a minimum "n" size for the disability subgroup for purposes of calculating whether school districts meet AMO targets, and 9 of Nevada's 17 school districts had the requisite "n" size for inclusion in this analysis. During 2012-2013, 0% of Nevada's districts with the minimum "n" size for English Language Arts (ELA) and Math met Nevada's AMO targets for the disability subgroup ($[(0 \div 9) \times 100] = 0\%$). See Table 3-A-1 below.

Table 3-A-1 Percent of Districts That Have a Disability Subgroup that Meets the State's Minimum "n" Size Meeting Nevada's AMO Targets For Disability Subgroup						
	2012-2013 School Year					
Total # Districts With Minimum "n" Size for ELA and Math	# Districts With Minimum "n" Size for ELA and Math that Met Nevada's AMO Targets for Disability Subgroup	% of Districts With Minimum "n" Size Meeting Nevada's AMO Targets for Disability Subgroup				
9	0	0%				

The following Table 3-A-2 shows the specific analysis of whether each of Nevada's 17 school districts had the minimum "n" size for ELA and Math assessments and, if so, whether the district made AMO targets for IEP students for both ELA and Math.

Table 3-A-2 AMO Targets for Disability Subgroup In Nevada's 17 School Districts 2012-2013 School Year

	2012	-2013 School Year			
DISTRICT	AMO AREAS	Does District Have Disability Subgroup that meets the State's Minimum "n" Size at Elementary, Middle, and High School Levels?	Did District Meet AMO Targets?	Did District Meet AMO Targets in Both ELA and Math?	
Carson City	ELA	Υ	N	N	
	Math	Y	N		
Churchill	ELA	Y	N	N	
	Math	Y	N		
Clark	ELA	Y	N	N	
	Math	Y	N	1 "	
Douglas	ELA	Y	N	N	
	Math	Y	N		
Elko	ELA	Y	N	N	
	Math	Y	N]	
Esmeralda	ELA	N	NA*	NA*	
	Math	N	NA]	
Eureka	ELA	N	NA	NA	
	Math	N	NA]	
Humboldt	ELA	Y	N	N	
	Math	Y	N	7	
Lander	ELA	N	NA	NA	
	Math	N	NA		
Lincoln	ELA	N	NA	NA	
	Math	N	NA	1 1	
Lyon	ELA	Y	N	N	
•	Math	Y	N	1 "	
Mineral	ELA	N	NA	NA	
	Math	N	NA		
Nye	ELA	Y	N	N	
·	Math	Y	N	,	
Pershing	ELA	N	NA	NA	
Ŭ	Math	N	NA		
Storey	ELA	N	NA	NA	
•	Math	N	NA		
Washoe	ELA	Υ	N	N	
	Math	Y	N	1 "	
White Pine	ELA	N	NA	NA	
	Math	N	NA	1 17	

^{*}NA—District did not meet the minimum "n" size for analysis.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2012:

Discussion of Improvement Activities Completed for FFY 2012:

See APR Attachment 2, Improvement Activities/Timelines/Resources, for a detailed listing of activities completed during 2012-2013 for the following activities:

- Strategic Priority 1: Standards and Assessments (p. 2)
- Strategic Priority 2: Valid and Reliable Data (p. 6)
- Strategic Priority 3: Comprehensive Educator Effectiveness System (p. 13)
- Strategic Priority 4: Innovative Programs and Evidence-Based Practices (p. 18)

Explanation of Progress or Slippage that Occurred for FFY 2012:

During FFY 2012 (2012-2013), none of Nevada's 9 school districts with the requisite minimum "n" size met the established AMO targets for the IEP subgroup (0%). During 2011-2012, five of the nine districts with the minimum "n" size met the state's AYP targets so the state experienced slippage. The lower AMO rate is likely related to the first year implementation of the Common Core State Standards, including the fact that the CCSS is a more rigorous set of academic standards than the standards previously adopted by the state. During the first year, staff members were still learning how to implement the standards, curriculum was still under development, and the state has not yet aligned its assessment system to the CCSS. Further, AMOs increased between 2011-2012 and 2012-2013.

Revisions, <u>with Justification</u>, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013:

B. <u>2012-2013 Data for Participation Rates</u>

During FFY 2012, 98.7% of IEP students participated in the statewide ESEA $\underline{\text{Math}}$ assessment ([(25,024 \div 25,347)] x 100 = 98.7%). During FFY 2012, 98.8% of IEP students participated in the statewide ESEA $\underline{\text{ELA/Reading}}$ assessment ([(25,043 \div 25,347)] x 100 = 98.8%). These students participated in the statewide assessments by participating in a regular assessment with no accommodations, a regular assessment with accommodations, or an alternate assessment against alternate academic achievement standards. During 2012-2013, Nevada did not administer alternate assessments against grade level academic achievement standards or modified academic achievement standards.

Participation rates for 2012-2013 were calculated by dividing the number of students with IEPs participating in the assessment (column "b" below) by the total number of students with IEPs enrolled during the testing window (column "a" below), calculated separately for ELA/reading and math. Students with IEPs included both students enrolled for a full academic year and those not enrolled for a full academic year. The target established for FFY 2012 was 95% (based on the ESEA participation requirements), so Nevada reached its target for the overall percent of students with disabilities participating in statewide ESEA assessments, calculated separately for Math and ELA/Reading.

See below for Table 3-B-1—Math Participants and Table 3-B-2—ELA/Reading Participants for specific calculations.

Table 3-B-1—Math Participants Participation Rates for Students with Disabilities in Statewide ESEA Assessments 2012-2013 School Year								
Grades Assessed Total # of Students with IEPs Enrolled during the Testing Window (a) For Students with IEPs Participating in the Assessments (b) Overall Percent [(b ÷ a) x 100]								
3rd Grade	3,827	3,799	99.3%					
4th Grade	3,804	3,768	99.1%					
5th Grade	3,981	3,943	99.0%					
6th Grade	3,701	3,671	99.2%					
7th Grade	3,578	3,530	98.7%					
8th Grade	3,478	3,441	98.9%					
11th Grade	2,978	2,872	96.4%					
Overall Total	25,347	25,024	98.7%					

Table 3-B-2—ELA/Reading Participants Participation Rates for Students with Disabilities in Statewide ESEA Assessments 2012-2013 School Year						
Grades Total # of Students with IEPs Assessed Enrolled during the Testing Window (a) # of Students with IEPs Participating in the Assessments (b) $(b \div a) \times 100$						
3rd Grade	3,827	3,802	99.3%			
4th Grade	3,804	3,770	99.1%			
5th Grade	3,981	3,941	99.0%			
6th Grade	3,701	3,671	99.2%			
7th Grade	3,578	3,544	99.0%			
8th Grade	3,478	3,443	99.0%			
11th Grade	11th Grade 2,978 2,872 96.4%					
Overall Total	Overall Total 25,347 25,043 98.8%					

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2012:

<u>Discussion of Improvement Activities Completed for FFY 2012:</u>

Because the state met its FFY 2012 target, the state is not required to discuss improvement activities for this indicator.

Explanation of Progress or Slippage that Occurred for FFY 2012:

Because the state met its FFY 2012 target, the state is not required to explain progress, unchanged data, or slippage for this indicator.

Public Reporting Information: Nevada's public reports of assessment results for students with disabilities are found on the NDE website at: http://www.nevadareportcard.com/.

Revisions, <u>with Justification</u>, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013:

C. 2012-2013 Data for Proficiency Rates

Proficiency rates are calculated by dividing the number of IEP students who were proficient or above in each examination (column "b" below), by the total number of IEP students who received a valid score and for whom a proficiency level was assigned (column "a" below). Students with IEPs included both students enrolled for a full academic year and those not enrolled for a full academic year. Proficiency is measured by IEP students' performance in the following assessments:

- Regular assessment with no accommodations
- Regular assessment with accommodations
- Alternate assessment against alternate achievement standards

See below for Table 3-C-1—Math Proficiency and Table 3-C-2—ELA/Reading Proficiency for specific calculations.

Table 3-C-1—Math Proficiency Proficiency Rates for Students with Disabilities in Statewide ESEA Assessments 2012-2013 School Year					
Grades Assessed Total # Students with IEPs Who Received Valid Score and for Whom Proficiency Level was Assigned (a) # Students with IEPs Scoring at or above Proficient (b) Overall Percent [(b ÷ a) x 100)					
3rd Grade	3,799	1,535	40.4%		
4th Grade	3,768	1,485	39.4%		
5th Grade	3,943	1,316	33.4%		
6th Grade	3,671	588	16.0%		
7th Grade	3,530	601	17.0%		
8th Grade	3,441	382	11.1%		
11th Grade	2,872	971	33.8%		

Table 3-C-2—ELA/Reading Proficiency Proficiency Rates for Students with Disabilities in Statewide ESEA Assessments 2012-2013 School Year				
Grades Assessed	Total # Students with IEPs Who Received Valid Score and for Whom Proficiency Level was Assigned (a)	# Students with IEPs Scoring at or above Proficient (b)	Overall Percent [(b ÷ a) x 100)	
3rd Grade	3,802	1,234	32.5%	
4th Grade	3,770	1,191	31.6%	
5th Grade	3,941	1,025	26.0%	
6th Grade	3,671	768	20.9%	
7th Grade	3,544	655	18.5%	
8th Grade	3,443	420	12.2%	
11th Grade	2,872	976	34.0%	

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2012:

Discussion of Improvement Activities Completed for FFY 2012:

See APR Attachment 2, Improvement Activities/Timelines/Resources, for a detailed listing of activities completed during 2012-2013 for the following activities:

- Strategic Priority 1: Standards and Assessments (p. 2) (in particular, tasks 2, 3, 4, 5, 6, 7, 8)
- Strategic Priority 2: Valid and Reliable Data (p. 6) (in particular, tasks 2, 3, 15)
- Strategic Priority 3: Comprehensive Educator Effectiveness System (p. 13) (in particular, tasks 8, 9)
- Strategic Priority 4: Innovative Programs and Evidence-Based Practices (p. 18)

Explanation of Progress or Slippage that Occurred for FFY 2012:

As shown on the table below, Nevada met 3 of its 14 targets for proficiency for IEP students during 2012-2013:

Table 3-C-3 Analysis of % Proficient During 2012-2013 Against Targets					% Proficient Increase (+) or
Content Area	Grade Target		% Proficient	Target Met?	Decrease (-) Compared to
Alca			2012-2013	Wicti	Prior Year
	3rd	46%	40.4%	N	-
Math	4th	38%	39.4%	Υ	-
	5th	38%	33.4%	N	-
	6th	31%	16.0%	N	-
	7th	24%	17.0%	N	-
	8th	27.5%	11.1%	N	-
	11th	24.5%	33.8%	Υ	-
	3rd	35.5%	32.5%	N	+
ELA/Reading	4th	33%	31.6%	N	-
	5th	30.5%	26.0%	N	+
	6th	27%	20.9%	N	+
	7th	24%	18.5%	N	+
	8th	25.5%	12.2%	N	-
	11th	33%	34.0%	Υ	-

When compared to the 2011-2012 performance data in Math, the percentage of students who were proficient decreased in all grades.

When compared to the 2011-2012 performance data in ELA/Reading, the percentage of students who were proficient increased in grades 3, 5, 6, and 7, and decreased in the other grades.

The decreased performance is likely related to the 2012-2013 implementation of the Common Core State Standards, while students continued to be measured using assessments aligned to previous standards.

Public Reporting Information: Nevada's public reports of assessment results for students with disabilities are found on the NDE website at: http://www.nevadareportcard.com/.

Revisions, <u>with Justification</u>, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013:

INDICATOR 4A

Overview of the Annual Performance Report Development:

See description in the Introduction.

Monitoring Priority: FAPE in the LRE

Indicator 4A: Rates of suspension and expulsion:

Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs.

(20 U.S.C. 1416(a)(3)(A); 1412(a)22))

Measurement:

Percent = [(# of districts that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs) divided by the (# of districts in the State)] times 100.

Include State's definition of "significant discrepancy."

Overview of Issue/Description of System or Process:

Data Source:

Annually, in conjunction with submission of their eligibility documents for Part B funding, each district submits electronic data to the NDE concerning students who are suspended or expelled for more than 10 days in a school year. The state verifies the reliability and accuracy of the data through automated verification checks through its database. These data are reported annually as an EDFacts submission under section 618 of the IDEA.

Definition of Significant Discrepancy and Identification of Comparison Methodology:

Nevada compares district rates for suspension/expulsion of students with disabilities to the statewide bar, defined below, for suspension/expulsion of students with disabilities to evaluate comparability.

A district has a significant discrepancy when its suspension/expulsion rate for children with disabilities is at least five percentage points more than the state's average suspension expulsion rate for all children with disabilities (the "statewide bar").

The statewide bar is calculated by dividing the statewide total number of students with disabilities suspended/expelled for more than 10 school days in a school year by the statewide total number of students with disabilities, and adding five percentage points.

Nevada uses a minimum "n" size requirement to exclude school districts from the calculation if the district has fewer than 25 students with disabilities who were suspended more than 10 school days during the data reporting year.

District rates are calculated by dividing the district's total number of students with disabilities suspended/expelled for more than 10 school days by the total number of students with disabilities in the district.

FFY	Measurable and Rigorous Target
2012 (using 2011- 2012 data)	0% of districts will be identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year.

Actual Target Data for FFY 2012 (data from 2011-2012):

OSEP has directed the NDE to describe the results of the NDE's examination of suspension and expulsion data for the year before the reporting year to report progress in the FFY 2012 report (i.e., for the FFY 2012 APR, use data from 2011-2012). Consequently, below are 2011-2012 data and analyses for this FFY 2012 report.

There are 17 school districts in Nevada. The statewide bar was calculated by dividing the total statewide number of students with disabilities in those school districts who were suspended/expelled more than 10 school days during 2011-2012 (n=952), by the total number of students with disabilities in those districts during 2011-2012 (n=45,671), and adding five percentage points: ($[(952 \pm 45,671) + 5 \text{ points}] = 7.1\%$).

During 2011-2012, eight of the 17 school districts suspended/expelled students with disabilities for more than 10 school days. Six of these school districts were excluded from further analysis because they suspended/expelled fewer than 25 students with disabilities during 2011-2012. Of the remaining two districts, neither of the districts had suspension/expulsion rates that exceed the statewide bar. Consequently, no school districts had a significant discrepancy in the rate for suspension/expulsion.

4A. School Districts with Significant Discrepancy in Rates for Suspension and Expulsion:

Year	Total Number of School Districts	Number of School Districts that had Significant Discrepancies	Percent	
FFY 2012 (2011-2012 data)	17	0	0%	

During 2011-2012, 0% (representing none) of Nevada's 17 school districts were identified as having a significant discrepancy in the rate of suspension and expulsion of children with disabilities for greater than 10 days in a school year ($[(0 \div 17) \times 100] = 0\%$).

Review of Policies, Procedures, and Practices:

If a district exceeds the statewide bar for rate of suspensions/expulsions, the NDE conducts a review of district policies, procedures, and practices to ensure compliance with IDEA Part B requirements concerning suspensions/expulsions. In addition, the NDE reviews, and if appropriate requires affected school districts to revise, policies, practices and procedures relating to development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. The NDE also examines whether the district has established strategies to reduce high rates of suspension and expulsions. Policies and procedures that do not comply with IDEA Part B requirements are revised; noncompliant practices are modified through training and technical assistance.

Complaint investigation and due process findings of noncompliance with IDEA Part B requirements for suspension/expulsion are corrected through orders requiring, for example, that a student be returned to the placement the student was in prior to an improper disciplinary removal and/or that compensatory services be provided.

The scope and process for Nevada's review and revision, if appropriate, of policies, procedures and practices relating to development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, is described more fully in the February 2010 APR.

During FFY 2012 (based on 2011-2012 data), there were no school districts with suspensions/expulsions that reached or exceeded the statewide bar, so no review of policies, procedures, or practices was required.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2012:

Discussion of Improvement Activities Completed for FFY 2012:

Because the state met its FFY 2012 target, the state is not required to discuss improvement activities for this indicator.

Explanation of Progress or Slippage that Occurred for FFY 2012 (data from 2011-2012):

Because the state met its FFY 2012 target, the state is not required to explain progress, unchanged data, or slippage for this indicator.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013:

Overview of the Annual Performance Report Development:

See description in the Introduction.

Monitoring Priority: FAPE in the LRE

Indicator 4B: Rates of suspension and expulsion:

Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

Measurement:

Percent = [(# of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards) divided by the (# of districts in the State)] times 100.

Include State's definition of "significant discrepancy."

Overview of Issue/Description of System or Process:

Data Source:

Annually, in conjunction with submission of their eligibility documents for Part B funding, each district submits electronic data to the NDE concerning students who are suspended or expelled for more than 10 days in a school year. The state verifies the reliability and accuracy of the data through automated verification checks through its database. These data are reported annually as an EDFacts submission under section 618 of the IDEA.

Definition of Significant Discrepancy and Identification of Comparison Methodology:

Nevada compares district rates for suspension/expulsion of students with disabilities in each race/ethnic category to the statewide bar, defined below, for suspension/expulsion of students with disabilities to evaluate comparability.

A district has a significant discrepancy when its suspension/expulsion rate for children with disabilities, in any race/ethnic category, is at least five percentage points more than the state's average suspension expulsion rate for all children with disabilities (the "statewide bar"). The statewide bar is calculated by dividing the statewide total number of students with disabilities suspended/expelled for more than 10 school days in a school year by the statewide total number of students with disabilities, and adding five percentage points. Nevada uses a minimum "n" size requirement to exclude school districts from the calculation if the district has fewer than 25 students with disabilities, in any race/ethnic category, who were suspended more than 10 school days during the data reporting year.

District rates are calculated by dividing the district's total number of students with disabilities, by race/ethnic category, suspended/expelled for more than 10 school days by the total number of students with disabilities in the district, by race/ethnic category.

FFY	Measurable and Rigorous Target
2012 (using 2011- 2012 data)	0% of districts will be identified by the State as having (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with the requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

Actual Target Data for FFY 2012 (data from 2011-2012):

OSEP has directed the NDE to describe the results of the NDE's examination of suspension and expulsion data for the year before the reporting year to report progress in the FFY 2012 report (i.e., for the FFY 2012 APR, use data from 2011-2012). Consequently, below are 2011-2012 data and analyses for this FFY 2012 report.

There are 17 school districts in Nevada. The statewide bar was calculated by dividing the total statewide number of students with disabilities in those school districts who were suspended/expelled more than 10 school days during 2011-2012 (n=952), by the total number of students with disabilities in those districts during 2011-2012 (n=45,671), and adding five percentage points: $([(952 \div 45,671) + 5 \text{ points}] = 7.1\%)$.

During 2011-2012, eight of the 17 school districts suspended/expelled students with disabilities for more than 10 school days. Seven of these school districts were excluded from further analysis because they suspended/expelled fewer than 25 students with disabilities in each race/ethnic category during 2011-2012. In the remaining district, the district suspension/expulsion rate was lower than the statewide bar in each of the four race/ethnic categories where the district suspended/expelled 25 or more students with disabilities. Consequently, no school districts had a significant discrepancy in the rate for suspension/expulsion of students with disabilities, in any race/ethnic category.

4B(a). Districts with Significant Discrepancy, by Race or Ethnicity, in Rates of Suspension and Expulsion:

Year	Total Number of Districts**	Number of Districts that have Significant Discrepancies by Race or Ethnicity	Percent**	
FFY 2012 (using 2011-2012 data)	17	0	0.00%	

During FFY 2012 (based on 2011-2012 data), 0% (representing none) of Nevada's 17 school districts were identified as having a significant discrepancy in the rate of suspension and expulsion of children with disabilities, by race or ethnicity, for greater than 10 days in a school year ($(0 \div 17) \times 1001 = 0\%$).

Review of Policies, Procedures, and Practices:

If a district exceeds the statewide bar for rate of suspensions/expulsions, by race or ethnicity, the NDE conducts a review of district policies, procedures, and practices to ensure compliance with IDEA Part B requirements concerning suspensions/expulsions. In addition, the NDE reviews, and if appropriate requires affected school districts to revise, policies, practices and procedures relating to development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. The NDE also examines whether the district has established strategies to reduce high rates of suspension and expulsions. Policies and procedures that do not comply with IDEA Part B requirements are revised; noncompliant practices are modified through training and technical assistance.

Complaint investigation and due process findings of noncompliance with IDEA Part B requirements for suspension/expulsion are corrected through orders requiring, for example, that a student be returned to the placement the student was in prior to an improper disciplinary removal and/or that compensatory services be provided.

The scope and process for Nevada's review and revision, if appropriate, of policies, procedures and practices relating to development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, is described more fully in the February 2010 APR.

During FFY 2012 (based on 2011-2012 data), there were no school districts with rates of suspensions/expulsions, by race or ethnicity, that reached or exceed the statewide bar, so no review of policies, procedures, or practices was required.

4B(b). Districts with Significant Discrepancy, by Race or Ethnicity, in Rates of Suspensions and Expulsions; and policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

Year	Total Number of Districts*	Number of Districts that have Significant Discrepancies, by Race or Ethnicity, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.	Percent**	
FFY 2012 (using 2011-2012 data)	17	0	0.00%	

During 2011-2012, 0% (representing none) of Nevada's 17 school districts were identified as having a significant discrepancy in the rate of suspension and expulsion of children with disabilities, by race or ethnicity, for greater than 10 days in a school year, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards ([$(0 \div 17) \times 100$] = 0%).

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2012:

Discussion of Improvement Activities Completed for FFY 2012:

Because the state met its FFY 2012 target, the state is not required to discuss improvement activities for this indicator.

Explanation of Progress or Slippage that Occurred for FFY 2012 (data from 2011-2012):

Because the state met its FFY 2012 target, the state is not required to explain progress, unchanged data, or slippage for this indicator.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013:

INDICATOR 5

Overview of the Annual Performance Report Development:

See description in the Introduction.

Monitoring Priority: FAPE in the LRE

Indicator 5: Percent of children with IEPs aged 6 through 21 served:

- A. Inside the regular class 80% or more of the day;
- B. Inside the regular class less than 40% of the day; and
- C. In separate schools, residential facilities, or homebound/hospital placements.

(20 U.S.C. 1416(a)(3)(A))

Measurement:

- A. Percent = [(# of children with IEPs served inside the regular class 80% or more of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- B. Percent = [(# of children with IEPs served inside the regular class less than 40% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- C. Percent = [(# of children with IEPs served in separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

FFY	Measurable and Rigorous Target		
2012 (2012-2013) A. 58.0% of students with IEPs will be served inside the regular class 80% or more day.			
(2012-2013)	B. 15% of students with IEPs will be served inside the regular class less than 40% of the day.		
	C. 1.6% of students with IEPs will be served in separate schools, residential facilities, or homebound/hospital placements.		

Actual Target Data for FFY 2012:

- A. During 2012-2013, 63.9% of students with IEPs were served inside the regular class 80% or more of the day ($[(26,278 \div 41,123) \times 100] = 63.9\%$).
- B. During 2012-2013, 14.2% of students with IEPs were served inside the regular class less than 40% of the day ($[(5,841 \div 41,123) \times 100] = 14.2\%$).
- C. During 2012-2013, 1.5% of students with IEPs were served in separate schools, residential facilities or homebound/hospital placements ($[(625 \div 41,123) \times 100] = 1.5\%$).

NOTE: Data do not include 1,162 students reported under section 618 of the IDEA who are served in a state-operated correctional facility or in state-sponsored charter schools that are not and do not operate as Local Education Agencies.

The target for 2012-2013 was for 58% of students with IEPs to be served inside the regular class 80% or more of the day, and the actual data reflected 63.0% of students served inside the regular class 80% or

more of the day. Because a higher percentage than the target achieves the target, Nevada reached its target.

Regarding the percent of students with IEPs that were served inside the regular class less than 40% of the day, the target for 2012-2013 was 15%, and only 14.2% of students were served inside the regular class less than 40% of the day. Because a lower percentage than the target achieves the target, Nevada reached its target.

Regarding the percent of students with IEPs served in separate schools, residential facilities or homebound/hospital placements, the target for 2012-2013 was 1.6%, and 1.5% of students were served in these placements. Because a lower percentage than the target achieves the target, Nevada reached its target.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2012:

<u>Discussion of Improvement Activities Completed for FFY 2012:</u>

Because the state met its FFY 2012 target, the state is not required to discuss improvement activities for this indicator.

Explanation of Progress or Slippage that Occurred for FFY 2012:

Because the state met its FFY 2012 target, the state is not required to explain progress, unchanged data, or slippage for this indicator.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013:

INDICATOR 6

Overview of the Annual Performance Report Development:

See description in the Introduction.

Monitoring Priority: FAPE in the LRE

Indicator 6: Percent of children aged 3 through 5 with IEPs attending a:

- A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and
- B. Separate special education class, separate school or residential facility.

(20 U.S.C. 1416(a)(3)(A))

Measurement:

- A. Percent = [(# of children aged 3 through 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.
- B. Percent = [(# of children aged 3 through 5 with IEPs attending a separate special education classroom, separate school or residential facility) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.

FFY	Measurable and Rigorous Target		
2012 (2012-2013)	A. 23.7% of students with IEPs ages 3 through 5 will attend a regular early childhood program and receive the majority of their special education and related services in the regular early childhood program.		
	B. 54.3% of students with IEPs ages 3 through 5 will attend a separate special education classroom, separate school or residential facility.		

Actual Target Data for FFY 2012:

- A. During 2012-2013, 21.8% of students with IEPs aged 3 through 5 were attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program $[((1,646 + 95) \div 7,994) \times 100) = 21.8\%]$.
- B. During 2012-2013, 59.1% of students with IEPs aged 3 through 5 were attending a separate special education classroom, separate school or residential facility $[((4,643 + 78 + 1) \div 7,994) \times 100) = 59.1\%]$.

NOTE: Data do not include 53 students reported under section 618 of the IDEA who are served in state-sponsored charter schools that are not and do not operate as Local Education Agencies.

A. The target for 2012-2013 was for 23.7% of students with IEPs ages 3 through 5 to attend a regular early childhood program and receive the majority of their special education and related services in the regular early childhood program, and the actual data reflected 21.8% of students attending such a program. Nevada did not reach its target.

B. The target for 2012-2013 was for 54.3% of students with IEPs aged 3 through 5 to attend a separate special education classroom, separate school or residential facility, and 59.1% attended such a program. Because a lower percentage than the target achieves the target, Nevada did not reach its target.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2012:

<u>Discussion of Improvement Activities Completed for FFY 2012:</u>

See APR Attachment 2, Improvement Activities/Timelines/Resources, for a detailed listing of activities completed during 2012-2013 for the following activities:

- Strategic Priority 1: Standards and Assessments (p. 2) (in particular, tasks 8, 11, 12, 13)
- Strategic Priority 2: Valid and Reliable Data (p. 6) (in particular, task 40)
- Strategic Priority 3: Comprehensive Educator Effectiveness System (p. 13) (in particular, tasks 2, 6, 25)
- Strategic Priority 4: Innovative Programs and Evidence-Based Practices (p. 18) (in particular, tasks 11, 16, 17, 23, 24, 25, 26, 27)

Explanation of Progress or Slippage that Occurred for FFY 2012:

Compared to the 2011-2012 school year, Nevada experienced a decrease in the percentage of students with IEPs aged 3 through 5 who attend regular early childhood programs, and an increase in students who attend a separate special education classroom, separate school, or residential facility.

The NDE analyzed the October 2012 child count data in advance of the summer 2013 special education directors workshop. During that meeting, NDE conducted a drill-down exercise and determined that the data reflected some misunderstandings about coding. For example, it was noted that there was some confusion about correct coding when related service providers implement services in general education environments. In an effort to improve the quality of the data, the NDE is creating a guidelines document that will provide clarifying examples and other technical assistance.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013:

INDICATOR 7

Overview of the State Performance Plan Development:

See description in the Introduction.

Monitoring Priority: FAPE in the LRE

Indicator 7: Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

(20 U.S.C. 1416 (a)(3)(A))

Measurement:

Outcomes:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

Progress categories for A, B and C:

- a. Percent of preschool children who did not improve functioning = [(# of preschool children who did not improve functioning) divided by (# of preschool children with IEPs assessed)] times 100.
- b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.
- c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = [(# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it) divided by (# of preschool children with IEPs assessed)] times 100.
- d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.
- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.

Summary Statements for Each of the Three Outcomes:

Summary Statement 1: Of those preschool children who entered or exited the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.

Measurement for Summary Statement 1: Percent = # of preschool children reported in progress category (c) plus # of preschool children reported in category (d) divided by [# of preschool children reported in progress category (a) plus # of preschool children reported in progress category (b) plus # of preschool children reported in progress category (c) plus # of preschool children reported in progress category (d)] times 100.

Summary Statement 2: The percent of preschool children who were functioning within age expectations in each Outcome by the time they turned 6 years of age or exited the program.

Measurement for Summary Statement 2: Percent = # of preschool children reported in progress category (d) plus [# of preschool children reported in progress category (e) divided by the total # of preschool children reported in progress categories (a) + (b) + (c) + (d) + (e)] times 100.

Actual Data for FFY 2012:

The following tables present the Nevada Early Childhood Outcomes for the 2012-2013 school year on Positive Social Relationships, Knowledge and Skills, and Ability to Meet Needs.

Progress Data for Preschool Children Exiting 2012-2013

Pos	sitive Social Relationships	Number	Percent
Nur	nber of preschool children with IEPs assessed	3,048	
a.	Children who did not improve functioning.	137	4.5%
b.	Children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers.	333	11%
C.	Children who improved functioning to a level nearer to same-aged peers but did not reach it.	815	26.7%
d.	Children who improved functioning to reach a level comparable to same-aged peers.	1,204	39.5%
e.	Children who maintained functioning at a level comparable to same-aged peers.	559	18.3%
Tota	al	3,048	100%
Kno	owledge and Skills	Number	Percent
Nun	nber of preschool children with IEPs assessed	3,048	
a.	Children who did not improve functioning.	154	5%
b.	Children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers.	395	13%
C.	Children who improved functioning to a level nearer to same-aged peers but did not reach it.	886	29.1%
d.	Children who improved functioning to reach a level comparable to same-aged peers.	1,165	38.2%
e.	Children who maintained functioning at a level comparable to same-aged peers.	448	14.7%
Tota	al	3,048	100%
Abi	lity to Meet Needs	Number	Percent
Nun	nber of preschool children with IEPs assessed	3,048	
a.	Children who did not improve functioning.	255	8.4%
b.	Children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers.	368	12.1%
C.	Children who improved functioning to a level nearer to same-aged peers but did not reach it.	538	17.6%
d.	Children who improved functioning to reach a level comparable to same-aged peers.	1,151	37.8%
e.	Children who maintained functioning at a level comparable to same-aged peers.	736	24.1%
Tota	al	3,048	100%

Summary Statements for Preschool Children Exiting 2012-2013

SUMMARY STATEMENTS	Target FFY 2012 (% of children)	Actual Target Data FFY 2012	Target Met?		
Outcome A: Positive social-emotional skills (including social relationships)					
1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. [(815 + 1,204) ÷ (137 + 333 + 815 + 1,204) = 81.1%]	76.4%	81.1%	Yes		
2. The percent of children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program. [(1,204 + 559) ÷ (137 + 333 + 815 + 1,204 + 559) = 57.8%]	76.7%	57.8%	No		
Outcome B: Acquisition and use of knowledge and skills (in language/communication and early literacy)	ncluding early	у			
language/communication and early meracy)					
1. Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. [(886 + 1,165) ÷ (154 + 395 + 886 + 1,165) = 78.9%]	75.1%	78.9%	Yes		
2. The percent of children who were functioning within age expectations in Outcome B by the time they turned 6 years of age or exited the program. [(1,165 + 448) ÷ (154 + 395 + 886 + 1,165 + 448) = 52.9%]	68.8%	52.9%	No		
Outcome C: Use of appropriate behaviors to meet their needs					
1. Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. [(538 + 1,151) ÷ (255 + 368 + 538 + 1,151) = 73.1%]	78.0%	73.1%	No		
2. The percent of children who were functioning within age expectations in Outcome C by the time they turned 6 years of age or exited the program. [(1,151 + 736) ÷ (255 + 368 + 538 + 1,151 + 736) = 61.9%]	79.8%	61.9%	No		

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2011:

Discussion of Improvement Activities Completed for FFY 2012:

See APR Attachment 2, Improvement Activities/Timelines/Resources, for a detailed listing of activities completed during 2012-2013 for the following activities:

- Strategic Priority 1: Standards and Assessments (p. 2)
- Strategic Priority 2: Valid and Reliable Data (p. 6) (in particular, tasks 41, 42, 43, 44, 45)
- Strategic Priority 3: Comprehensive Educator Effectiveness System (p. 13) (in particular, tasks 26, 27)
- Strategic Priority 4: Innovative Programs and Evidence-Based Practices (p. 18)

Explanation of Progress or Slippage that Occurred for FFY 2012:

When comparing 2012-2013 data to 2011-2012 data, Nevada's percentages declined in six areas, and Nevada made only two targets (the two areas where percentages increased). Professional development will continue to focus on helping staff members understand what constitutes "progress made" and "typical development," particularly for behavior skills which are more difficult to assess. Specifically, technical assistance will be provided to assist staff in observing and measuring behavioral skills. The NDE anticipates that continued professional development and technical assistance to staff members will lead to increased results in the future.

Additional Information Required by the OSEP APR Response Table:

Statement from the Response Table	State's Response
The State must report progress data and actual target data for FFY 2012 with the FFY 2012 APR.	See "Progress Data for Preschool Children Exiting 2012-2013" above on p. 29.
	See "Summary Statements for Preschool Children Exiting 2012-2013" above on p. 30.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013:

Overview of the Annual Performance Report Development:

See description in the Introduction.

Monitoring Priority: FAPE in the LRE

Indicator 8: Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

(20 U.S.C. 1416(a)(3)(A))

Measurement:

Percent = [(# of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities) divided by the (total # of respondent parents of children with disabilities)] times 100.

FFY	Measurable and Rigorous Target		
2012 (2012-2013)	78% of parents with a child receiving special education services will report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.		

Actual Target Data for FFY 2011:

During 2012-2013, 74% of Nevada parents responded in agreement to survey question #25 (see below for significance of this response), down slightly from 76% during 2011-2012 ($[(1,052 \pm 1,417) \times 100] = 74\%$). The state did not reach its target.

Discussion of Survey Results

The NDE has elected to purchase a survey instrument from the National Center for Special Education Accountability Monitoring (NCSEAM) to measure the percent of parents who report that their children's schools facilitated parent involvement as a means of improving services and results for students with disabilities. The NDE used the same survey instrument included in the April 2008 SPP (available at the NDE website). The question used to measure this indicator is survey question #25: "The school explains what options parents have if they disagree with a decision of the school." See the February 2010 SPP for an explanation of how this question was determined to be an appropriate measurement of this indicator (p. 35). Nevada's sampling plan for dissemination of this survey was previously approved and is described in the February 2010 SPP (pp. 33-35).

During 2012-2013, parent surveys were disseminated to parents of all students with disabilities in four districts scheduled for a comprehensive compliance monitoring visit (Clark, Lyon, Pershing, and Storey). In addition, a sample was selected for parent survey in Washoe County School District because this district has an average daily membership (ADM) of more than 50,000 students. Surveys were successfully sent to 8,347 parents, and a total of 1,475 responses were received for a 17.7% response rate (1,475 \div 8,347 = 17.7%). (A total of 58 could not be used based on incomplete data.) This response rate represents a slight increase from the 17.4% rate in 2011-2012. According to NCSEAM, the 17.7% response rate exceeds the minimum number required for an adequate confidence level based on established survey sample guidelines.

Representativeness of Survey Results

Although response rate is an important indicator of the validity of survey results, the representativeness of survey respondents when compared to the pool of possible respondents from which they were drawn is

also a very important indicator. In order to examine the representativeness of the respondents in the 2012-2013 parent survey, student-level data regarding disability category and race/ethnic category are collected for each survey response. Then, the disability and race/ethnic category data for survey responses are compared to the disability and race/ethnic category data in the October 1, 2012, child count of students ages 3-21 in the surveyed districts.

In the disability category comparison, the response data were compared to the total child count data in the surveyed districts, in all disability categories. In 2012-2013, 11% of the responding parents were the parents of children with developmental delays (compared to 11.1% in the child count); 2% were the parents of children with emotional disturbance (compared to 3.7% in the child count); and 3% were the parents of children with multiple impairments (compared to 2.5% in the child count). In the autism category, 13% of the respondents represented parents of children with autism (compared to 9.7% in the child count). Approximately 35% of the responding parents were the parents of children with learning disabilities (compared to 43.7% in the child count). Comparisons between survey respondents and child count data for children with hearing impairments, mental retardation, orthopedic impairments, traumatic brain injury, vision, and speech/language impairments were very close.

In Indicator 14, the National Post-School Outcomes Center has identified that when representatives is outside the +/- 3% range, the lack of representativeness is important. When comparing representativeness within disability categories, Nevada's respondents in most categories are well within the NPSO acceptable range. However, there is a nearly 10-point gap between the number of responding parents and the percentage of students with learning disabilities in the child count, although the gap is one point smaller than in the previous year. And there is a slightly greater than 3-point gap between the number of responding parents and the percentage of students with autism in the child count. Efforts will be made to reduce these gaps will continue.

Analysis of the race/ethnicity representativeness in the responses when compared to the October 1, 2012, child count in the surveyed districts showed there was very close representativeness in categories for American Indian/Alaskan Native (2% of the respondents; 1.2% in the child count), Asian (5% of the respondents; 2.7% in the child count), Native Hawaiian or Other Pacific Islander (<1% of the respondents; 1% in the child count), Two or More Races (5% of the respondents; 5.1% in the child count).

In three other race/ethnic categories, the state experienced some improvement in the degree to which the responding population was representative of the surveyed population, as follows:

- Improvement was found in the representativeness of responses for students in the Hispanic/Latino category, with 33% of the survey responses for students in the Hispanic Latino category, compared with 39.3% in the child count (an 6.3-point gap) (last year the gap was 30% responding compared to 38% in the child count, an 8-point gap).
- Slight improvement was found in the responses for students in the Black/African American category, where 6% of the survey responses were for students in the Black/African American category, compared to 14.7% in the child count (a 8.7-point gap) (last year the comparison showed 6% responding compared to 15% in the child count, a 9-point gap).
- Improvement was also found in the representativeness of responses for students in the White category. A total of 49% of the responses were for students in the White category, while 36% of students in the child count were White (a 13-point gap). This shows improvement in representativeness compared to last year when 53% who responded were in the White category, while 38% in the child count were White (a 15-point gap).

The NDE has begun working with its partners and with NCSEAM to increase the representativeness of the responses on behalf of children particularly in the Black/African American and Hispanic/Latino categories. The NDE is working with NCSEAM specifically to discuss survey strategies, including oversampling and enhanced follow-up, as well as any other research-based techniques NCSEAM can offer, to

improve the race/ethnic representativeness of the responding populations, and to improve the response rate among parents whose children have learning disabilities.

Survey Data

Following is a table showing statewide data for respondents to the parent survey during 2012-2013.

Table 8						
Numbers and Percentage of Parents Responding "Agree, Strongly Agree, Very Strongly Agree" with Question 25 on NCSEAM Survey (2012-2013)						
	# of Surveys Received	# Surveys Responding "Agree, Strongly Agree, Very Strongly Agree" with Question #25	% Responding "Agree, Strongly Agree, Very Strongly Agree" with Question #25			
Statewide	1,417	1,052	74%			

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2012:

Discussion of Improvement Activities Completed for FFY 2012:

See APR Attachment 2, Improvement Activities/Timelines/Resources, for a detailed listing of activities completed during 2012-2013 for the following activities:

- Strategic Priority 1: Standards and Assessments (p. 2)
- Strategic Priority 2: Valid and Reliable Data (p. 6) (in particular, tasks 10, 11, 39)
- Strategic Priority 3: Comprehensive Educator Effectiveness System (p. 13) (in particular, task 24)
- Strategic Priority 4: Innovative Programs and Evidence-Based Practices (p. 18)

Explanation of Progress or Slippage that Occurred for FFY 2012:

During 2012-2013, 74% of Nevada parents responded in agreement to survey question #25, down slightly from 76% during 2011-2012. Nevada did not reach its target of 78% for this indicator. Because parents in different school districts are surveyed each year (except for Clark and Washoe, whose parents are surveyed every year), slight progress or slippage from one year to the next is not considered significant.

Although NCSEAM uses Question 25 as a "proxy" for measuring the extent to which "parents with a child receiving special education services report that schools facilitated parent involvement as a means of improving services and results for children with disabilities" (the actual "indicator" for this measure), it is also important to note that **90% or more of parents agreed** with the following survey items (while most of these percentages are down slightly from the previous year, the percentages had been up slightly the year before that—the rates of agreement have been very stable over time):

- At the IEP meeting, we discussed accommodations and modifications that my child would need. (93%) (down from 94% in the previous year)
- Teachers and administrators respect my cultural heritage. (93%) (down from 94%)
- My child's evaluation report is written in terms I understand. (91%) (down from 93%)
- Written information I receive is written in an understandable way. (90%) (down from 93%)
- Teachers are available to speak with me. (90%) (down from 91%)

Between **80-89% of parents agreed** with the following survey items, many of which directly reflect the extent to which schools actually do facilitate parent involvement:

- Teachers and administrators ensure that I have fully understood the Procedural Safeguards. (89%) (down from 91%)
- All of my concerns and recommendations were documented on the IEP. (89%) (down from 90%)
- I am considered an equal partner with teachers and other professionals in planning my child's program. (89%) (down from 90%)
- Teachers treat me as a team member. (88%) (down from 89%)
- The school has a person on staff who is available to answer parents' questions. (87%) (down from 89%)
- Teachers and administrators encourage me to participate in the decision-making process. (85%) (down from 86%)
- Teachers and administrators show sensitivity to the needs of students with disabilities. (84%) (down from 85%)
- Teachers and administrators seek out parent input. (80%) (down from 81%)
- The school offers parents a variety of ways to communicate with teachers. (82%) (no change)

Between **70-79% of parents agreed** with the following survey items, many of which directly reflect the extent to which schools actually do facilitate parent involvement:

- Written justification was given for the extent that my child would not receive services in the regular classroom. (79%) (no change)
- The school gives the parents the help they may need to plan an active role in their child's education. (77%) (down from 79%)
- The school explains what options parents have if they disagree with a decision of the school. (74%) (down from 76%) (This is the question NCSEAM established as the "proxy" for measuring parent involvement.)
- The school communicates regularly with me regarding my child's progress on IEP goals.
 (77%) (down from 79%)
- At the IEP meeting, we discussed how my child would participate in statewide assessments. (78%) (no change)
- The school gives me choices with regard to services that address my child's needs. (74%) (down from 76%)
- I have been asked for my opinion about how well special education services are meeting my child's needs. (74%) (no change)

Fewer than 70% of parents agreed with the following survey items:

- The school provides information on agencies that can assist my child in the transition from school. (60%) (down from 63%) **
- I was given information about organizations that offer support for parents of students with disabilities. (53%) (down from 55%)
- The school offers parents training about special education issues. (55%) (up from 54%)
- I was offered special assistance (such as child care) so that I could participate in the IEP meeting. (51%) (up from 50%)
 - ** Given that only 24% of the responses were related to students in 9-12th grade, this percentage is quite positive.

In 2 out of the 25 questions, the percentage of parents who agreed with the statement increased slightly from the 2011-2012 school year; 4 questions remained unchanged from the 2011-2012 school year. In 19 out of the 25 questions, the percentage of parents who agreed with the statement decreased slightly from the 2011-2012 school year.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013:

INDICATOR 9

Overview of the Annual Performance Report Development:

See description in the Introduction.

Monitoring Priority: Disproportionality

Indicator 9: Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

Measurement:

Percent = [(# of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification) divided by the (# of districts in the State)] times 100.

Include State's definition of "disproportionate representation."

Based on its review of the 618 data for FFY 2012, describe how the State made its annual determination that the disproportionate representation it identified (consider both over and underrepresentation) of racial and ethnic groups in special education and related services was the result of inappropriate identification as required by §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum 'n' size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2012 reporting period, i.e., after June 30, 2013. If inappropriate identification is identified, report on corrective actions taken.

FFY	Measurable and Rigorous Target			
2012 (2012-2013)	0% of school districts will have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.			

Actual Target Data for FFY 2012:

During FFY 2012, 0% of Nevada's 17 school districts had disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. The measurement is calculated as ($[(0 \div 17) \times 100] = 0\%$).

Criteria for Defining "Disproportionate Representation":

A weighted risk ratio analysis is used to identify disproportionate over-representation of racial and ethnic groups in special education for seven race/ethnic groups (Hispanic/Latino, American Indian/Alaska Native, Asian, Black/African American, Native Hawaiian/Other Pacific Islander, White, and Two or More Races). Disproportionate over-representation will be identified when the weighted risk ratio is 3.0 or greater for three consecutive years for any racial/ethnic group in which there are at least twenty-five students in the special education population within the district. This analysis results in the identification of districts with disproportionate over-representation possibly resulting from inappropriate identification.

During 2012-2013, two school districts were excluded from the calculation as a result of the state's minimum "n" size requirement.

Determining "Inappropriate Identification":

If disproportionate representation is identified in a district, the district's policies, procedures, and practices will be evaluated to determine whether the disproportionate representation is the result of inappropriate identification of students as students with disabilities, as indicated by noncompliant policies, procedures, and/or practices. The scope and details of the review of policies, procedures, and practices is described in the February 2010 SPP. If the review of policies, procedures and practices reveals noncompliance with federal and/or state requirements for identification and evaluation, appropriate corrective actions will be taken.

Determination of Disproportionate Representation for FFY 2012:

Nevada calculated its determination of whether disproportionate over-representation existed for students in any of seven race/ethnic groups during FFY 2012 by analyzing child count data for 10/1/2010, 10/1/2011 and 10/1/2012 using the WESTAT disproportionality analysis tool, which compares district child count data to district enrollment data.

Data were analyzed across these three years to determine if a three-year trend existed for any district, for any race/ethnic subgroup. No district had a three-year trend demonstrating disproportionate over-representation of students as students with disabilities for any race/ethnic subgroup. Thus, there was no disproportionate representation in any district, in any race/ethnic subgroup, in the FFY 2012 "annual" determination of disproportionate representation of race/ethnic groups in special education.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2012:

Discussion of Improvement Activities Completed for FFY 2012:

Because the state met its FFY 2012 target, the state is not required to discuss improvement activities for this indicator.

Explanation of Progress or Slippage that Occurred for FFY 2012:

Because the state met its FFY 2012 target, the state is not required to explain progress, unchanged data, or slippage for this indicator.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013:

INDICATOR 10

Overview of the Annual Performance Report Development:

See description in the Introduction.

Monitoring Priority: Disproportionality

Indicator 10: Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

Measurement: Percent = [(# of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification) divided by the (# of districts in the State)] times 100.

Include State's definition of "disproportionate representation."

Based on its review of the 618 data for FFY 2012, describe how the State made its annual determination that the disproportionate representation it identified (consider both over and under representation) of racial and ethnic groups in specific disability categories was the result of inappropriate identification as required by §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum 'n' size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in specific disability categories is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2012, i.e., after June 30, 2013. If inappropriate identification is identified, report on corrective actions taken.

FFY	Measurable and Rigorous Target			
2012 (2012-2013)	0% of school districts will have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.			

Actual Target Data for FFY 2012:

During FFY 2012, 0% of Nevada's 17 school districts had disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. The measurement is calculated as ($[(0 \div 17) \times 100] = 0\%$).

Criteria for Defining "Disproportionate Representation":

A weighted risk ratio analysis is used to identify disproportionate over-representation within each race/ethnicity category, for the following disability categories:

- Mental retardation
- Specific learning disabilities
- Emotional disturbance
- Speech or language impairments
- Other health impairments
- Autism

A weighted risk ratio analysis is used to identify disproportionate over-representation of racial and ethnic groups in special education for seven race/ethnic groups (Hispanic/Latino, American Indian/Alaska Native, Asian, Black/African American, Native Hawaiian/Other Pacific Islander, White, and Two or More Races). Disproportionate over-representation is identified when the weighted risk ratio is 3.0 or greater for three consecutive years for any racial/ethnic group in which there are at least 25 students in a particular disability category within the district. This analysis results in the identification of districts with possible disproportionate over-representation resulting from inappropriate identification.

Exclusion of Districts During FFY 2012

During 2012-2013, the following numbers of school districts were excluded from the calculation as a result of the state's minimum "n" size requirement:

- Autism: 7 school districts were excluded (6 with cell sizes containing 6 or fewer students)
- Mental Retardation: 7 school districts were excluded (all with cell sizes containing 6 or fewer students)
- Speech or Language Impairments: 5 school districts were excluded (all with cell sizes containing 13 or fewer students)
- Specific Learning Disabilities: 5 school districts were excluded (all with cell sizes containing 14 or fewer students)
- Other Health Impairments: 6 school districts were excluded (all with cell sizes containing 13 or fewer students)
- Emotional Disturbance: 4 school districts were excluded (3 with cell sizes containing one student)

The total "unduplicated" number of districts who were excluded from the calculation was 9.

Determining "Inappropriate Identification":

If disproportionate representation is identified in a district, the district's policies, procedures, and practices will be evaluated to determine whether the disproportionate representation is the result of inappropriate identification of students as students with disabilities, as indicated by noncompliant policies, procedures, and/or practices. The scope and details of the review of policies, procedures, and practices is described in the February 2010 SPP. If the review of policies, procedures and practices reveals noncompliance with federal and/or state requirements for identification and evaluation, appropriate corrective actions will be taken.

Determination of Disproportionate Representation for FFY 2012:

Nevada calculated its determination of whether disproportionate over-representation existed for students with particular disabilities in any of seven race/ethnic groups during FFY 2012. To accomplish this task, child count data were analyzed for 10/1/2010, 10/1/2011, and 10/1/2012 using the WESTAT disproportionality analysis tool, which compares district child count data in six different disability categories (autism, mental retardation, learning disabilities, emotional disturbance, speech and language impairments, and other health impairments) to district enrollment data.

Data were analyzed across these three years to determine if a three-year trend existed for any district, for any race/ethnic subgroup, in any of the six disability categories. This analysis revealed the following no district had disproportionate representation in any race/ethnic group, within any of the six disability categories analyzed.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2012:

Discussion of Improvement Activities Completed for FFY 2012:

Because the state met its FFY 2012 target, the state is not required to discuss improvement activities for this indicator.

Explanation of Progress or Slippage that Occurred for FFY 2012:

Because the state met its FFY 2012 target, the state is not required to explain progress, unchanged data, or slippage for this indicator.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013:

INDICATOR 11

Overview of the Annual Performance Report Development:

See description in the Introduction.

Monitoring Priority: Effective General Supervision Part B / Child Find

Indicator 11: Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

- a. # of children for whom parental consent to evaluate was received.
- b. # of children whose evaluations were completed within 60 days (or State-established timeline).

Account for children included in a but not included in b. Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.

Percent = [(b) divided by (a)] times 100.

FFY	Measurable and Rigorous Target						
2012 (2012-2013)	100% of children with parental consent to evaluate will be evaluated within Nevada's 45-school-day timeline.						

Actual Target Data for FFY 2012:

During 2012-2013, 94.4% percent of children with parental consent to evaluate were evaluated within 45 school days ([(102 \div 108) x 100] = 94.4%). In Nevada, the completion of the initial evaluation occurs when the eligibility team, including the parent, has made an eligibility decision; under state regulations this decision must occur within 45 school days after the parent provides written consent for the initial evaluation. Nevada did not reach its target for this indicator.

Selection of School Districts for Monitoring:

The NDE has established a four-year monitoring cycle. The schedule has been established to ensure selection of a representative group of districts to be monitored each year. A stratified random sampling is used to ensure a representative group of school districts in each of the four years of Nevada's four-year monitoring cycle. Nevada's 17 school districts, which are contiguous with Nevada's 17 counties, have been assigned status as either "urban" (4 districts), "medium rural" (5 districts), or "small rural" (8 districts) depending on the relative size of the county and the relative urbanicity of the county seat. In each of the four years in the special education monitoring cycle, the districts selected for monitoring will include one "urban" district, one "medium rural" district, and two "small rural" districts. Each year the districts are randomly sampled from within the three subgroups, without replacement, in order to ensure that all 17 districts are monitored at least once during the four-year cycle. Because there are 5 districts in the "medium rural" subgroup, 2 of these districts will be monitored in one of the four years. (Note: This monitoring cycle was approved by OSEP in April 2008 as part of the Indicator 8 sampling description. See pp. 33-35 in the February 2010 SPP.)

During 2012-2013, the NDE conducted comprehensive on-site monitoring in four school districts (Clark, Lyon, Pershing, and Storey). A total of 108 records were examined for evidence that children with parental consent to evaluate were evaluated within Nevada's 45-school-day timeline. See calculation presented below:

Children Evaluated Within 60 Days (or State-established timeline):

a. Number of children for whom parental consent to evaluate was	received 108
 b. Number of children whose evaluations were completed within 6 established timeline) 	O days (or State-
Percent of children with parental consent to evaluate, who were eva days (or State established-timeline) (Percent = [(b) divided by (a)] time	

Correction of FFY 2011 Findings of Noncompliance:

There were no findings of noncompliance during FFY 2011.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2012:

Discussion of Improvement Activities Completed for FFY 2012:

See APR Attachment 2, Improvement Activities/Timelines/Resources, for a detailed listing of activities completed during 2012-2013 for the following activities:

- Strategic Priority 2: Valid and Reliable Data (p. 7)
- Strategic Priority 3: Comprehensive Educator Effectiveness System (p. 15)
- Strategic Priority 4: Innovative Programs and Evidence-Based Practices (p. 21)

Explanation of Progress or Slippage that Occurred for FFY 2012:

During 2012-2013, 94.4% of children with parental consent to evaluate were evaluated within 45 school days. Nevada did not reach its target for this indicator and demonstrate slight slippage from the previous year when the compliance calculation was 100%. Note, however, that because the calculation for this indicator is based on the on-site monitoring findings in a different set of school districts in each year of a four-year cycle, the comparison to the compliance percentage in the previous year is not a comparison to the same districts. Very high levels of compliance for this indicator during the last several years may be attributed to increased focus and training regarding this indicator throughout the state.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013:

Overview of the Annual Performance Report Development:

See description in the Introduction.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

- a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.
- b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays.
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays.
- d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.
- e. # of children who were referred to Part C less than 90 days before their third birthdays.

Account for children included in a but not included in b, c, d, or e. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed and the reasons for the delays.

Percent = [(c) divided by (a - b - d - e)] times 100.

FFY	Measurable and Rigorous Target				
2012 (2012-2013)	100% of children referred by Part C prior to age 3, who are found eligible for Part B, will have an IEP developed and implemented by their third birthdays.				

Actual Target Data for FFY 2012:

During 2012-2013, 99.3% percent of children referred by Part C prior to age 3, who were found eligible for Part B, had an IEP developed and implemented by their third birthdays ([136 \div (222 - 5 - 80 - 0)] x 100 = 99.3%). Nevada did not reach its target for this indicator.

Selection of School Districts for Monitoring:

The NDE has established a four-year monitoring cycle. The schedule has been established to ensure selection of a representative group of districts to be monitored each year. A stratified random sampling is used to ensure a representative group of school districts in each of the four years of Nevada's four-year monitoring cycle. Nevada's 17 school districts, which are contiguous with Nevada's 17 counties, have been assigned status as either "urban" (4 districts), "medium rural" (5 districts), or "small rural" (8 districts) depending on the relative size of the county and the relative urbanicity of the county seat. In each of the four years in the special education monitoring cycle, the districts selected for monitoring will include one "urban" district, one "medium rural" district, and two "small rural" districts. Each year the districts are randomly sampled from within the three subgroups, without replacement, in order to ensure that all 17 districts are monitored at least once during the four-year cycle. Because there are 5 districts in the "medium rural" subgroup, 2 of these districts will be monitored in one of the four years. (Note: This monitoring cycle was approved by OSEP in April 2008 as part of the Indicator 8 sampling description. See pp. 33-35 in the February 2010 SPP.)

During 2012-2013, the NDE conducted comprehensive on-site monitoring in four school districts (Clark, Lyon, Pershing, and Storey). A total of 222 records were examined for evidence that children referred by Part C prior to age 3, who were found eligible for Part B, had an IEP developed and implemented by their third birthdays. See calculation presented below:

Actual State Data (Numbers)

a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.	222
b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday	5
c. # of those found eligible who have an IEP developed and implemented by their third birthdays	136
d. # for whom parent refusals to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.	80
e. # of children who were referred to Part C less than 90 days before their third birthdays.	0
# in a but not in b, c, d, or e.	1
Percent of children referred by Part C prior to age 3 who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays	99.3%
Percent = [(c) / (a-b-d-e)] * 100	

Correction of FFY 2011 Findings of Noncompliance:

There were no findings of noncompliance during FFY 2011.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2012:

<u>Discussion of Improvement Activities Completed for FFY 2012:</u>

See APR Attachment 2, Improvement Activities/Timelines/Resources, for a detailed listing of activities completed during 2012-2013 for the following activities:

- Strategic Priority 1: Standards and Assessment (p. 2)
- Strategic Priority 2: Valid and Reliable Data (p. 7)
- Strategic Priority 3: Comprehensive Educator Effectiveness System (p. 15)
- Strategic Priority 4: Innovative Programs and Evidence-Based Practices (p. 21)

Explanation of Progress or Slippage that Occurred for FFY 2012:

During 2012-2013, 99.3% of children referred by Part C prior to age 3, who were found eligible for Part B, had an IEP developed and implemented by their third birthdays. Nevada did not reach its target for this indicator and demonstrated slight slippage from the previous year when the compliance calculation was 100%. Note, however, that because the calculation for this indicator is based on the on-site monitoring findings in a different set of school districts in each year of a four-year cycle, the comparison to the compliance percentage in the previous year is not a comparison to the same districts. Very high levels of compliance for this indicator during the last several years may be attributed to increased focus and training regarding this indicator throughout the state.

Correction of Remaining Noncompliance:

As of FFY 2012, Nevada has no remaining noncompliance identified in previous years that was not corrected.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013:

Overview of the Annual Performance Report Development:

See description in the Introduction.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 13: Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

Percent = [(# of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority) divided by the (# of youth with an IEP age 16 and above)] times 100.

FFY	Measurable and Rigorous Target					
2012 (2012-2013)	100% of youth with IEPs aged 16 and above will have an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There will also be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.					

Actual Target Data for FFY 2012:

During 2012-2013, 100% of youth with IEPs aged 16 and above had an IEP that included appropriate measurable postsecondary goals that were annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There was also evidence that each student was invited to the IEP Team meeting where transition services were to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority ($[(54 \div 54) \times 100] = 100\%$).

During 2012-2013, the NDE conducted comprehensive on-site monitoring in four school districts (Clark, Lyon, Pershing, and Storey). A total of 54 records were reviewed for students who were aged 16 or older to ensure that all required secondary transition components were in place. Each of the records included evidence of all required secondary transition components. See calculation presented below:

Year	Total number of youth aged 16 and above with an IEP	Total number of youth aged 16 and above with an IEP that meets the requirements	Percent of youth aged 16 and above with an IEP that meets the requirements	
FFY 2012 (2012- 2013)	54	54	100%	

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2012:

Discussion of Improvement Activities Completed for FFY 2012:

During 2012-2013, 100% of student records included evidence of all required secondary transition components. Because the state met its FFY 2012 target, the state is not required to discuss improvement activities for this indicator.

Explanation of Progress or Slippage that Occurred for FFY 2012:

During 2012-2013, 100% of student records included evidence of all required secondary transition components. Because the state met its FFY 2012 target, the state is not required to discuss progress, unchanged data, or slippage for this indicator.

Correction of Noncompliance Identified During FFY 2011:

In this FFY 2012 APR, the NDE must report on correction of noncompliance identified during FFY 2011 (2011-2012), and that report is provided below. During FFY 2011, the NDE reported a 92% level of compliance for this indicator.

During 2011-2012, four districts (Carson City, Douglas, Mineral, and Nye) were scheduled for a comprehensive record review as part of Nevada's four-year monitoring cycle. A noncompliance finding was issued to Nye County School District for failure to have a post-secondary goal for employment in one student's file.

The identified noncompliance was corrected within one year, described below:

Correction of FFY 2011 Findings of Noncompliance:

Level of compliance (actual target data) State reported for FFY 2011 for this indicator: 92%

1.	Number of findings of noncompliance the State made during FFY 2011 (the period from July 1, 2011 through June 30, 2012)	1
2.	Number of FFY 2011 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	1
3.	Number of FFY 2011 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0
4.	Number of FFY 2011 findings not timely corrected (same as the number from (3) above)	0
5.	Number of FFY 2011 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	0
6.	Number of FFY 2011 findings not yet verified as corrected [(4) minus (5)]	0

Verification of Correction of Noncompliance Identified During FFY 2011:

Following is a description of the specific actions that the NDE took to verify the correction of findings of noncompliance identified in FFY 2011:

<u>Verification that Each District is Correctly Implementing Specific Regulatory Requirements</u>

To verify correction at the system level, Nye County School District provided the NDE with IEPs developed during 2012-2013 documenting 100% compliance with the Part B requirements for development of an IEP that meets the requirements for secondary transition components.

<u>Verification that Each District has Corrected Each Individual Case of Noncompliance</u> In 2012, Nye County School District provided evidence that the IEP for the student identified with noncompliance had been corrected to include a post-secondary goal for employment.

Correction of Remaining Noncompliance:

As of FFY 2012, Nevada has no remaining noncompliance identified in previous years that was not corrected.

Additional Information Required by the OSEP APR Response Table:

Statement from the Response Table	State's Response
Because the State reported less than 100% compliance for FFY 2011, the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2012 APR, that it has verified that each LEA with noncompliance identified in FFY 2011 for this indicator: (1) is correctly implementing specific regulatory requirements (i.e., achieved 100% compliance) based on	See "Verification of Correction of Noncompliance Identified During FFY 2011" above on p. 49.
a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.	

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013:

Overview of the Annual Performance Report Development:

See description in the Introduction.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 14: Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

- A. Enrolled in higher education within one year of leaving high school.
- B. Enrolled in higher education or competitively employed within one year of leaving high school.
- C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

- A. Percent enrolled in higher education = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.
- B. Percent enrolled in higher education or competitively employed within one year of leaving high school = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education or competitively employed within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.
- C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

FFY	Measurable and Rigorous Target						
2012	. 27% of youth (who were no longer in secondary school and had IEPs in effect at the time they left school) were enrolled in higher education within one year of leaving high school.						
B. 56% of youth (who were no longer in secondary school and had IEPs in effect they left school) were enrolled in higher education or competitively employed of leaving high school.							
	72% of youth (who were no longer in secondary school and had IEPs in effect at the time they left school) were enrolled in higher education, or in some other postsecondary education or training program, or competitively employed or in some other employment within one year of leaving high school.						

Actual Target Data for FFY 2012:

During 2012-2013, the NDE collected data from students with disabilities who had exited from secondary school one year earlier (2011-2012). Following is the actual data collected.

Actual Numbers Used in Calculation in Table 14:

- 1. Number of "leavers" who were enrolled in higher education within one year of leaving high school = 255.
- 2. Number of "leavers" who were <u>competitively employed</u> within one year of leaving high school (but not enrolled in higher education) = 319.
- 3. Number of "leavers" who were <u>enrolled in other postsecondary education or training</u> within one year of leaving high school (but not enrolled in higher education or competitively employed) = 69.
- 4. Number of "leavers" in <u>some other employment</u> within one year of leaving high school (but not enrolled in higher education, some other postsecondary education or training program, or competitively employed) = 57.

Table 14

PERCENT OF YOUTH WHO ARE NO LONGER IN SECONDARY SCHOOL, HAD IEPS IN EFFECT AT THE TIME THEY LEFT SCHOOL, AND WERE (A) ENROLLED IN HIGHER EDUCATION WITHIN ONE YEAR AFTER LEAVING HIGH SCHOOL; (B) ENROLLED IN HIGHER EDUCATION OR COMPETITIVELY EMPLOYED WITHIN ONE YEAR OF LEAVING HIGH SCHOOL; AND (C) ENROLLED IN HIGHER EDUCATION OR IN SOME OTHER POSTSECONDARY EDUCATION OR TRAINING PROGRAM; OR COMPETITIVELY EMPLOYED OR IN SOME OTHER EMPLOYMENT WITHIN ONE YEAR OF LEAVING HIGH SCHOOL.

(Students Who Exited During 2011-2012 School Year)

	RESPONDING	(A)		(B)		(C)	
	YOUTH WHO	ENROLLED IN		ENROLLED IN		ENROLLED IN HIGHER	
	HAD IEPS	HIGHER		HIGHER		EDUCATION OR IN SOME OTHER	
	WHO ARE NO	EDUCATION WITHIN ONE YEAR AFTER LEAVING HIGH SCHOOL		EDUCA.	TION OR	POSTSECONDA	RY EDUCATION
	LONGER IN			COMPE	ΓITIVELY	OR TRAINING	PROGRAM; OR
	SECONDARY			DARY YEAR AFTER EMPLOYED	OYED	COMPETITIVELY EMPLOYED OR	
	SCHOOL			WITHIN C	NE YEAR	IN SOME OTHER	R EMPLOYMENT
				OF LEAV	ING HIGH	WITHIN ONE YE	AR OF LEAVING
				SCH	OOL	HIGH S	CHOOL
	#	#	%	#	%	#	%
Statewide	1,062	255	24%	574	54%	700	66%

Nevada's targets were 27% for column A, 56% for column B, and 72% for column C. Nevada did not reach its targets for any of these post-school outcomes.

Discussion of Response Rates and Representativeness of Responses:

During 2012-2013, surveys of students with disabilities who exited secondary school during 2011-2012 were provided to 2,708 students. Data were collected from 1,062 respondents, for a response rate of 39.2% (1,062 \div 2,708 = 39.2%). This response rate represents an improvement compared to the response rate of 36.9% in 2011-2012.

Respondents were compared to the original survey population to determine the representativeness of the responding students when compared to the surveyed students, using the Response Calculator developed by the National Post-School Outcomes (NPSO) Center. Representativeness was compared by disability category for students with learning disabilities, students with emotional disturbance, and students with mental retardation, with the following results:

- 72% of the students surveyed had learning disabilities; 69% of the respondents had learning disabilities
- 6% of the students surveyed had emotional disturbance; 5% of the respondents had emotional disturbance
- 4% of the students surveyed had mental retardation; 4% of the respondents had mental retardation

In 2012-2013, differences between the survey group and the respondent group for each disability category were less than the +/- 3% range identified by NPSO as important.

Students were also compared for representativeness according to race/ethnic category. In 2012-2013, 60% of the students surveyed were minority students (non-White); 55% of the respondents were minority students (a 5-point difference). There was an 8-point difference in 2011-2012, so there has been progress in representativeness of minority populations. Although the state has made progress in the representativeness of its survey data, the state continues to address this issue through improvement activities (see, e.g., tasks 11, 35, 36 in Strategic Priority 2).

In 2012-2013, 32% of the survey group were female, compared to 31% in the respondent group (a 1-point difference); correspondingly, 68% of the survey group were male, compared to 69% in the respondent group (also a 1-point difference). In 2012-2013, 14% of the survey group had Limited English Proficiency, compared to 12% in the respondent group (a 2-point difference). Each of these differences was within the +/- 3% acceptable range identified by NPSO.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2012:

Discussion of Improvement Activities Completed for FFY 2012:

See APR Attachment 2, Improvement Activities/Timelines/Resources, for a detailed listing of activities completed during 2012-2013 for the following activities:

- Strategic Priority 1: Standards and Assessments (p. 2) (in particular, tasks 9, 10)
- Strategic Priority 2: Valid and Reliable Data (p. 6) (in particular, tasks 2, 4, 33, 34, 35, 36, 37, 38)
- Strategic Priority 3: Comprehensive Educator Effectiveness System (p. 13)
- Strategic Priority 4: Innovative Programs and Evidence-Based Practices (p. 18)

Explanation of Progress or Slippage that Occurred for FFY 2012:

Nevada's targets were 27% for column A, 56% for column B, and 72% for column C. Nevada did not reach its targets for any of these post-school outcomes. However, the percentage in the actual data increased in categories A (from 18% to 24%) and B (from 50% to 54%) when compared to the FFY 2011 data (students who exited during 2010-2011). Nevada remains the state in the nation with the highest rate of unemployment and the second-highest home foreclosure rates. City, county, and state budgets providing support for economic development have been severely cut, with no sign of substantial improvement on the horizon. Students, and certainly students with disabilities, are negatively impacted by the extraordinary economic decline in Nevada during the last six years. The fact that students with disabilities face challenges in finding work is no surprise, and without at least part time work, many cannot afford post-secondary education or training.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013:

INDICATOR 15

Overview of the Annual Performance Report Development:

See description in the Introduction.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 15: General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.

(20 U.S.C. 1416 (a)(3)(B))

Measurement:

Percent of noncompliance corrected within one year of identification:

- a. # of findings of noncompliance.
- b. # of corrections completed as soon as possible but in no case later than one year from identification. Percent = [(b) divided by (a)] times 100.

States are required to use the "Indicator 15 Worksheet" to report data for this indicator.

FFY	Measurable and Rigorous Target
2012 (2012-2013)	100% of identified noncompliance will be corrected as soon as possible but in no case later than one year from identification.

Actual Target Data for FFY 2012:

During FFY 2012, 100% of noncompliance identified during FFY 2011 was corrected as soon as possible and no later than one year from identification $[(85 \div 85) \times 100] = 100\%$. Nevada met its target. See Table 15 below, based on the Indicator 15 Worksheet. Also see Attachment 1 for the self-calculating Indicator 15 excel Worksheet.

Table 15 SUMMARY OF NONCOMPLIANCE FINDINGS (2011-2012) AND CORRECTIONS OF THOSE FINDINGS WITHIN ONE YEAR (2012-2013)

L					
Ind	icator	General Supervision System Components	# LEAs Issued Findings in FFY 2011 (7/1/11 to 6/30/12)	(a) # of Findings of noncompliance identified in FFY 2011 (7/1/11 to 6/30/12)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
2.	Percent of youth with IEPs graduating from high school with a regular diploma. Percent of youth with IEPs dropping out of high school.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	1	3	3
14.	Percent of youth who had IEPs, are no longer in secondary school and who have been competitively enrolled, enrolled in some type of postsecondary school, or both, within one year of leaving high school.	Dispute Resolution: Complaints, Hearings	0	0	0
3, 7.	Participation and performance of children with disabilities on assessments. Percent of preschool children with IEPs who demonstrated	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	4	31	31
	improved outcomes.	Dispute Resolution: Complaints, Hearings	0	0	0
4A.	Percent of districts identified as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	1	1	1
4B.	greater than 10 days in a school year. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.	Dispute Resolution: Complaints, Hearings	0	0	0

(table continued on next page)

5.6.	Percent of children with IEPs aged 6 through 21— educational placements. Percent of preschool children	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site	3	11	11
	aged 3 through 5—early childhood placement.	Visits, or Other Dispute Resolution: Complaints, Hearings	0	0	0
8.	Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	3	6	6
	improving services and results for children with disabilities.	Dispute Resolution: Complaints, Hearings	2	2	2
9.	Percent of districts with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	4	22	22
10.	identification. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	Dispute Resolution: Complaints, Hearings	0	0	0
11.	Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	which the evaluation must be conducted, within that timeframe (45 school days in Nevada).	Dispute Resolution: Complaints, Hearings	0	0	0
12.	Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	birthdays.	Dispute Resolution: Complaints, Hearings	0	0	0
13.	Percent of youth aged 16 and above with IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	1	4	4
	enable student to meet the post-secondary goals.	Dispute Resolution: Complaints, Hearings	0	0	0
	er areas of noncompliance: IEP lementation (General)	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
		Dispute Resolution: Complaints, Hearings	2	5	5
_		bers down Column a and		85	85
	ercent of noncompliance correc (column (b) sum	cted within one year of ide divided by column (a) sum		(b) / (a) X 100 =	100%

Process for Selecting School Districts for Monitoring:

The NDE has established a four-year monitoring cycle. The schedule has been established to ensure selection of a representative group of districts to be monitored each year. A stratified random sampling is used to ensure a representative group of school districts in each of the four years of Nevada's four-year monitoring cycle. Nevada's 17 school districts, which are contiguous with Nevada's 17 counties, have been assigned status as either "urban" (4 districts), "medium rural" (5 districts), or "small rural" (8 districts) depending on the relative size of the county and the relative urbanicity of the county seat. In each of the four years in the special education monitoring cycle, the districts selected for monitoring will include one "urban" district, one "medium rural" district, and two "small rural" districts. Each year the districts are randomly sampled from within the three subgroups, without replacement, in order to ensure that all 17 districts are monitored at least once during the four-year cycle. Because there are 5 districts in the "medium rural" subgroup, 2 of these districts will be monitored in one of the four years. (Note: This monitoring cycle was approved by OSEP in April 2008 as part of the Indicator 8 sampling description. See pp. 33-35 in the February 2010 SPP.)

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2012:

<u>Discussion of Improvement Activities Completed for FFY 2012:</u>

Because the state met its FFY 2012 target, the state is not required to discuss improvement activities for this indicator.

Explanation of Progress or Slippage that Occurred for FFY 2012:

Because the state met its FFY 2012 target, the state is not required to explain progress, unchanged data, or slippage for this indicator.

Methods for Correction of Noncompliance:

Correcting Individual Cases of Noncompliance. The NDE requires that every item of noncompliance identified in a student's file is corrected. Correction is ensured because the actual revised IEP forms, etc., for each student where noncompliance was identified, are returned to the NDE for verification approximately six-seven months after identification. In the event that the NDE cannot conclude that corrections have been made to the state's standards for compliance, additional instructions are provided within weeks to special education administrators and staff members until the corrections meet NDE standards within one year of identification. This process ensures that corrections are completed as soon as possible and no later than one year from identification.

Correcting Implementation of Specific Regulatory Requirements. To verify that a district is correctly implementing regulatory requirements, districts are required to submit a sample of complete files containing all required documents to demonstrate that requirements were met for initial evaluations, reevaluations, and IEP development conducted between September and March in the year after the noncompliance was identified. This documentation is carefully reviewed to ensure that it provides evidence that each school district is correctly implementing regulatory requirements as soon as possible and no later than one year from identification of noncompliance.

For noncompliance findings that cannot be corrected at a student-specific level (e.g., missed requirements for notice, consent, evaluations, and timelines) because the clock cannot be "rewound," the NDE engages in three separate inquiries to verify correction of noncompliance as soon as possible but no later than one year from identification. First, records are examined during the on-site monitoring visit to determine if correction has already occurred at the student-specific level. For example, even if an evaluation was not conducted within the state-mandated timeline, the NDE determines if the evaluation was complete at the time of the record review—if not, the district is directed to conduct the evaluation immediately and provide evidence to the NDE to verify correction. Second, the NDE reviews policies, procedures, and practices. Based upon these reviews, forms and procedures are revised as necessary, and extensive staff training

is required to ensure that compliant practices occur in the future. Third, school districts are directed to submit a sample of complete files or other relevant data documenting that requirements for notice, consent, evaluations, timelines, etc., met legal requirements in initial evaluations and reevaluations conducted during the school year after noncompliance was identified.

Correction of FFY 2011 Findings of Noncompliance:

In this FFY 2012 APR, the NDE must report on correction of noncompliance identified during FFY 2011 (2011-2012), and that report is provided below. All identified noncompliance identified during FFY 2011 was corrected within one year, as set forth in the following table:

Number of findings of noncompliance the State made during FFY 2011 (the period from July 1, 2011 through June 30, 2012) (Sum of Column a on the Indicator B15 Worksheet)	85
Number of findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) (Sum of Column b on the Indicator B15 Worksheet)	85
Number of findings not verified as corrected within one year [(1) minus (2)]	0

<u>Verification of Correction of Noncompliance Identified During FFY 2011:</u>

Four school districts were identified with noncompliance based on **monitoring activities** in FFY 2011 (Carson City, Douglas, Mineral and Nye). Eighty-five (85) noncompliance findings were made in June 2012 in conjunction with **monitoring activities** for legal requirements related to the SPP Indicators on Table 15. Within one year, correction had occurred for each of these findings.

Correction of All Instances of Noncompliance

For each student record monitored during 2011-2012 where there was any instance of IEP noncompliance, detailed instructions for correction of the noncompliance were returned to the school district, and IEPs were accordingly revised and corrected by each student's current teacher. Copies of these corrected IEPs were submitted to the NDE by February 2013, and the NDE verified correction of noncompliance. In any instance where the NDE could not verify correction of noncompliance, the IEP was returned to the appropriate school district for further correction, and by June 2013 all noncompliance identified during 2011-2012 was verified by the NDE as completely corrected no later than one year from identification of noncompliance.

Records were examined during the on-site monitoring visit to determine if correction has already occurred at the student-specific level for timelines that had not been met. For example, even if an evaluation was not conducted within the state-mandated timeline, the NDE determined if the evaluation was complete at the time of the record review—if not, the district was directed to conduct the evaluation immediately and provide evidence to the NDE to verify correction. In the four school districts that were monitored during 2011-2012, there were no instances where evaluations were still not completed, or where IEP services were not being provided at the time of the record review.

Verification that each District is Correctly Implementing Regulatory Requirements

The NDE reviewed each district's policies, procedures, and practices. Based upon these reviews, districts were required to revise forms and/or procedures as necessary, and to provide extensive staff training to ensure that compliant practices occur in the future. In addition, school districts were directed to submit a sample of complete files or other relevant data documenting that requirements were met for initial evaluations, reevaluations, and IEP development conducted during 2012-2013 (the year after the noncompliance was identified). This documentation was carefully reviewed to ensure

that it provided evidence that each school district is correctly implementing regulatory requirements no later than one year from identification of noncompliance.

Regarding the noncompliance for Indicator 13 identified in 2011-2012, Nye County School District provided the NDE with copies of IEPs developed during 2012-2013 for students at age 16 or older, demonstrating compliant provisions for secondary transition planning.

During 2011-2012, **complaint investigations** were conducted in three school districts (Clark, Lyon, Washoe), and seven (7) findings of noncompliance were made and noted under the "Dispute Resolution" section on Table 15. Within one year, correction had occurred for each of these findings. There were no findings of noncompliance issued in conjunction with **due process hearing** decisions.

Correction of All Instances of Noncompliance

Documentation of child-specific correction was required as verification of corrective actions ordered as a result of noncompliance findings in complaint investigations. Each district submitted required information within established timelines.

Verification that each District is Correctly Implementing Regulatory Requirements

Where necessary, policies and procedures were reviewed and revised. The NDE reviewed all proposed revisions before implementation. Once approved by the NDE, districts were required to train appropriate staff in the specific legal requirements where noncompliance was found and provide documentation that training occurred within established timelines. Each district submitted required information within established timelines.

Correction of Remaining Findings of Noncompliance:

As of FFY 2012, Nevada had no remaining noncompliance identified in previous years that was not corrected.

Additional Information Required by the OSEP APR Response Table:

Statement from the Response Table	State's Response
When reporting in the FFY 2012 APR on the correction of findings of noncompliance, the State must report that it verified that each LEA with noncompliance identified in FFY 2011: (1) is correctly implementing specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.	See "Verification of Correction of Noncompliance Identified During FFY 2011" above on pp. 58-59.
In addition, in reporting on Indicator 15 in the FFY 2012 APR, the State must use the Indicator 15 Worksheet.	See Table 15 above on pp. 55-56, which conforms to the Indicator 15 Worksheet (attached as Attachment 1).
In responding to Indicator 13 in the FFY 2012 APR, the State must report on correction of the noncompliance described in this table under that indicator.	See "Verification of Correction Identified During FFY 2011" under Indicator 13 above on p. 49.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013:

Overview of the Annual Performance Report Development:

See description in the Introduction.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 16: Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = [(1.1(b) + 1.1(c))] divided by 1.1] times 100.

Data collected on Table 7 of Information Collection 1820-0677 (Report of Dispute Resolution Under Part B of the Individuals with Disabilities Education Act).

FFY	Measurable and Rigorous Target
2012 (2012-2013)	100% of signed written complaints with reports issued will be resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution.

Actual Target Data for FFY 2012:

During 2012-2013, 100% of signed written complaints with reports issued were resolved within the 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution ([(12 + 9) \div 21] x 100 = 100%). Nevada met its target. There were 21 complaint investigation reports issued during 2012-2013, and each complaint investigation was completed within the 60-day timeline or within a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agreed to extend the time to engage in mediation or other alternative means of dispute resolution.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2012:

Discussion of Improvement Activities Completed for FFY 2012:

Because the state met its FFY 2012 target, the state is not required to discuss improvement activities for this indicator.

Explanation of Progress or Slippage that Occurred for FFY 2012:

Because the state met its FFY 2012 target, the state is not required to explain progress, unchanged data, or slippage for this indicator.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013:

Overview of the Annual Performance Report Development:

See description in the Introduction.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 17: Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = [(3.2(a) + 3.2(b))] divided by 3.2] times 100.

Data collected on Table 7 of Information Collection 1820-0677 (Report of Dispute Resolution Under Part B of the Individuals with Disabilities Education Act).

FFY	Measurable and Rigorous Target		
2012 (2012-2013)	100% of adjudicated due process hearing requests will be adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.		

Actual Target Data for FFY 2012:

During 2012-2013, 100% of fully adjudicated due process hearing requests were fully adjudicated within the 45-day timeline or a timeline that was properly extended by the hearing officer at the request of either party ([$(0 + 3) \div 3] \times 100 = 100\%$). There were three due process hearings conducted during 2012-2013 that were fully adjudicated as of June 30, 2013. The hearings were conducted and a decision rendered within the 45-day timeline or a properly extended timeline.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2012:

Discussion of Improvement Activities Completed for FFY 2012:

Because the state met its FFY 2012 target, the state is not required to discuss improvement activities for this indicator.

Explanation of Progress or Slippage that Occurred for FFY 2012:

Because the state met its FFY 2012 target, the state is not required to explain progress, unchanged data, or slippage for this indicator.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013:

INDICATOR 18

Overview of the Annual Performance Report Development:

See description in the Introduction.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 18: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

(20 U.S.C. 1416(a)(3(B))

Measurement: Percent = (3.1(a) divided by 3.1) times 100.

Data collected on Table 7 of Information Collection 1820-0677 (Report of Dispute Resolution Under Part B of the Individuals with Disabilities Education Act).

FFY	Measurable and Rigorous Target
2012	85% of resolution sessions held will result in settlement agreements.
(2012-2013)	

Actual Target Data for FFY 2012:

During 2012-2013, 80% of hearing requests that went to resolution sessions were resolved through resolution session settlement agreements ($[(63 \div 79) \times 100] = 80\%$).

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that occurred for FFY 2012:

Discussion of Improvement Activities Completed for FFY 2012:

See APR Attachment 2, Improvement Activities/Timelines/Resources, for a detailed listing of activities completed during 2012-2013 for the following activities:

- Strategic Priority 2: Valid and Reliable Data (p. 6)
- Strategic Priority 3: Comprehensive Educator Effectiveness System (p. 13)
- Strategic Priority 4: Innovative Programs and Evidence-Based Practices (p. 18) (in particular, tasks 14, 15)

Explanation of Progress or Slippage that Occurred for FFY 2012:

During 2012-2013, 80% of resolutions sessions held resulted in resolution session agreements. Consequently, the NDE did not meet the 85% target. The resolution agreement rate of 69% represented an increase over the 69% rate achieved in 2011-2012. Nevada experienced progress in the resolution agreement rate.

As discussed in previous Annual Performance Reports, written resolution settlement agreements are not the only means for settling disputes, and during 2012-2013, of the 81 total hearings requests received, 76 were resolved without a hearing, and five went to hearing (including two after 7/30/12). Consequently, Nevada's actual resolution rate was 94%. This overall resolution rate is significant—it suggests that although resolution sessions per se may not always result in written settlement agreements, there are various other means that are successfully used in Nevada to resolve disputes without due process hearings. If resolution session "success" is declining or increasing in any particular year, it means nothing more than school districts and parents are using other effective means to resolve disputes, and the NDE has no particular interest in valuing one particular dispute resolution mechanism over another.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013:

Overview of the Annual Performance Report Development:

See description in the Introduction.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 19: Percent of mediations held that resulted in mediation agreements.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = [(2.1(a)(i) + 2.1(b)(i))] divided by 2.1] times 100.

Data collected on Table 7 of Information Collection 1820-0677 (Report of Dispute Resolution Under Part B of the Individuals with Disabilities Education Act).

FFY	Measurable and Rigorous Target
2012	80% of mediations held will result in mediation agreements.
(2012-2013)	

Actual Target Data for FFY 2012:

During 2012-2013, two mediations requests were received but one request was subsequently withdrawn. The one mediation held resulted in full or partial agreement ($[(0 + 1) \div 1] \times 100 = 100\%$). Nevada met its target. As noted in Indicator 18, 94% of the due process hearing requests received in FFY 2012 were resolved without a hearing, using a variety of dispute resolution mechanisms. Whether the mediation system is used or not, parties in Nevada are resolving disputes with hearings, and that is the state's overall goal.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that Occurred for FFY 2012:

Discussion of Improvement Activities Completed for FFY 2012:

Because the state met its FFY 2012 target, the state is not required to discuss improvement activities for this indicator.

Explanation of Progress or Slippage that Occurred for FFY 2012:

Because the state met its FFY 2012 target, the state is not required to explain progress, unchanged data, or slippage for this indicator.

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013:

Overview of the Annual Performance Report Development:

See description in the Introduction.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 20: State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

State reported data, including 618 data, State Performance Plan, and Annual Performance Reports, are:

- Submitted on or before due dates (February 1 for child count, including race and ethnicity; placement; November 1 for exiting, discipline, personnel and dispute resolution; and February 1 for Annual Performance Reports and assessment); and
- b. Accurate, including covering the correct year and following the correct measurement.

States are required to use the "Indicator 20 Scoring Rubric" for reporting data for this indicator.

FFY	Measurable and Rigorous Target		
2012 (2012-2013)	100% of State reported data (618 and State Performance Plan and Annual Performance Report) will be timely and accurate.		

Actual Target Data for FFY 2012:

OSEP has notified states that it will calculate the actual target data for Indicator 20 and report the results to the states for review and response.

Actions Taken to Ensure Compliance:

The NDE annually collects data from its 17 local school districts, the Nevada Youth Training Center, and state-sponsored charter schools. Child count and placement data are collected electronically on October 1st, and software tools are used to search for duplicates, perform error checks, and prepare data for submission to EDFacts. The prepared data are uploaded to the Nevada State Education Accountability and Reporting System (NVSEARS) where is the data are formatted for reports by the EDEN Coordinator for timely submissions. Assessment data are prepared by the NDE and formatted for reports by the EDEN Coordinator for timely submissions to EDFacts. Electronic submissions are provided by local education agencies for exiting, discipline, personnel, and dispute resolution data. These submissions are also error checked and entered into NVSEARS where they are prepared for EDEN Reports for timely submissions to EDFacts.

The NDE ensures that data are reported in a timely manner through implementing the following steps:

- instructions are sent to districts, the Nevada Youth Training Center (NYTC), and state-sponsored charter schools annually, including forms for Child Count; Placement; Personnel; Exit; and Discipline Data
- training is provided at meetings of local special education directors (NYTC participates) and in special sessions for state-sponsored charter school administrators
- deadlines are established for return of data to NDE
- districts, NYTC, and state-sponsored charter schools submit data electronically

- NDE compiles into database
- NDE uploads data to NVSEARS
- NDE Eden Coordinator submits files to EDFacts when applicable
- NDE submits the Superintendent's signature page for child count to OSEP via paper

Accuracy is ensured through the following steps:

- EDFacts or WESTAT flags errors and/or other significant changes in number or percentage over previous year
- NDE reviews district level data, NYTC data, and state-sponsored charter school data for obvious changes
- instructions are provided annually and aligned with OSEP instructions to states
- state IEP forms and guidelines clarify the use of race/ethnicity and placement codes
- technical assistance is available in person or via telephone

The NDE ensures that local entities collect and report data that is consistent with the federal requirements through the following steps:

- procedures and timelines are established
- districts, NYTC, and state-sponsored charter schools submit data in accordance with timelines or within approved extensions of time
- child count and local plan data certifications are obtained with the submission of data
- data are aggregated and reported to EDFacts
- documentation (electronic and paper) is maintained
- errors that are discovered are brought to the attention of districts, NYTC, and state-sponsored charter schools so that necessary revisions can be made

Revisions, with Justification, to Proposed Targets/Improvement Activities/Timelines/Resources for FFY 2013: